

State of Iowa

1979

JOURNAL OF THE HOUSE

1979

**REGULAR SESSION
SIXTY-EIGHTH
GENERAL ASSEMBLY**

Convened January 8, 1979

Adjourned May 11, 1979

**ROBERT D. RAY, Governor
TERRY E. BRANSTAD, President of the Senate
FLOYD H. MILLEN, Speaker of the House**

**Published by the
STATE OF IOWA
Des Moines**

SIXTY – EIGHTH GENERAL ASSEMBLY

1979 Regular Session

OFFICERS OF THE HOUSE

FLOYD H. MILLEN, <i>Speaker of the House</i>	Farmington
WILLIAM H. HARBOR, <i>Speaker Pro Tempore</i>	Henderson
ROGER A. HALVORSON, <i>Majority Floor Leader</i>	Monona
JOHN H. CLARK, <i>Assistant Majority Floor Leader</i>	Keokuk
INGWER L. HANSEN, <i>Assistant Majority Floor Leader</i>	Hartley
PATRICIA L. THOMPSON, <i>Assistant Majority Floor Leader</i>	West Des Moines
DONALD D. AVENSON, <i>Minority Floor Leader</i>	Oelwein
ROBERT T. ANDERSON, <i>Assistant Minority Floor Leader</i>	Newton
GREGORY D. CUSACK, <i>Assistant Minority Floor Leader</i>	Davenport
NORMAN G. JESSE, <i>Assistant Minority Floor Leader</i>	Des Moines
PHILIP A. DAVITT, <i>Assistant Minority Floor Leader</i>	St. Charles
DAVID L. WRAY, <i>Chief Clerk</i>	Des Moines
WILLIAM B. WELDEN, <i>Legal Counsel</i>	Iowa Falls
ELIZABETH A. ISAACSON, <i>Journal Editor</i>	Des Moines
VIVIAN ANDERS, <i>Assistant Journal Editor</i>	Liberty Center
CAROL S. EDWARDS, <i>Compositor</i>	Des Moines
C. ELAINE SCHOONOVER, <i>Compositor</i>	Carlisle
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DEBRA K. REX, <i>Assistant Finance Clerk</i>	Des Moines

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ELIZABETH J. O'CONNOR, <i>Assistant Legal Counsel</i>	Des Moines
M. MAXINE MANN, <i>Assistant to Legal Counsel</i>	Des Moines
PEG E. KEPHART, <i>Assistant to Legal Counsel</i> <i>and Engrossing/Enrolling Clerk</i>	Des Moines
COLLEEN DILLON, <i>Supervisor of Clerks</i>	Des Moines
ALTA OVERTON, <i>Swing Clerk</i>	Indianola
J. JEANNE COUGHLAN, <i>Clerk to Chief Clerk</i>	Des Moines
ANN A. McCARTY, <i>Supply Clerk</i>	Des Moines
JUANITA F. SWACKHAMMER, <i>Chief Indexer</i>	Des Moines
WILMA F. ZIKA, <i>Indexing Assistant</i>	Des Moines
PATRICIA A. BARRY, <i>Public Information</i> <i>Office Director</i>	Des Moines
STEVEN M. TRACY, <i>Assistant</i> <i>to Public Information Office Director</i>	West Des Moines
JOYCE S. LOHR, <i>Aide to Public Information Office</i>	Des Moines
REBECCA HAUGHTON, <i>Aide to Public Information Office</i>	Ames
MARYJO F. WELCH, <i>Administrative Assistant</i> <i>to Speaker</i>	Des Moines
JANET S. CLAYTON, <i>Executive Secretary to Speaker</i>	Des Moines
MICHAEL H. McVEY, <i>Administrative Assistant</i> <i>to Majority Floor Leader</i>	Bloomfield
PAULA J. FELTNER, <i>Majority Caucus Director</i>	Des Moines
JUDITH M. JOHNSON, <i>Clerk/Majority Caucus</i>	Des Moines
TIMOTHY N. HYDE, <i>Research Analyst</i>	Des Moines

RAND M. FISHER, <i>Research Analyst</i>	West Des Moines
SANDRA L. GITHENS, <i>Research Analyst</i>	Des Moines
RONDA L. ROBERTS, <i>Research Analyst</i>	Perry
M. L. TRIGGS, <i>Research Analyst</i>	Laurens
BENJAMIN J. WEBB, <i>Research Analyst</i>	Des Moines
BARBARA WINTERS, <i>Research Analyst</i>	Des Moines
MARK BRANDSGARD, <i>Administrative Assistant</i> to <i>Minority Floor Leader</i>	Humboldt
JOSEPH J. O'HERN, <i>Minority Caucus Director</i>	Barnum
N. KAY MARKELL, <i>Clerk/Minority Caucus</i>	Des Moines
MERLIE HOWELL, <i>Research Analyst</i>	Ankeny
BRADLEY KADING, <i>Research Analyst</i>	Stuart
LINDA J. KING, <i>Research Analyst</i>	Urbandale
WILLIAM C. MALONEY, <i>Research Analyst</i>	Des Moines
RICHARD NORLAND, <i>Research Analyst</i>	Des Moines
BEVERLY BAKER, <i>Switchboard Operator</i>	Des Moines
ROSEMARY MASSMAN, <i>Switchboard Operator</i>	Des Moines
PHYLLIS J. FRAIZER, <i>Bill Clerk</i>	Des Moines
MADELINE E. JAMES, <i>Assistant Bill Clerk</i>	Des Moines
MILDRED M. WEBER, <i>Postmaster</i>	Hartley
DONALD R. EMANUEL, <i>Sergeant-at-Arms</i>	Des Moines
FRANK L. CHRISTEN, <i>Assistant Sergeant-at-Arms</i>	Des Moines
GUSTOF W. ADAMSON, <i>Doorkeeper</i>	Des Moines
LUMAN W. BELL, <i>Doorkeeper</i>	Des Moines
CARMAN BREEDING, <i>Doorkeeper</i>	Altoona
THOMAS W. MARMION, <i>Doorkeeper</i>	Des Moines

OFFICERS OF THE HOUSE—Continued

V

HAROLD L. MISSMAN, *Doorkeeper* Des Moines
JOHN W. RUSSELL, *Doorkeeper* Des Moines
EVELYN SEANEY, *Elevator Operator* Des Moines

VI ELECTIVE OFFICERS, SUPREME COURT JUSTICES AND
IOWA COURT OF APPEALS JUDGES

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

ROBERT D. RAY, <i>Governor</i>	Des Moines
TERRY E. BRANSTAD, <i>Lieutenant Governor</i>	Lake Mills
MELVIN D. SYNHORST, <i>Secretary of State</i>	Des Moines
RICHARD D. JOHNSON, <i>State Auditor</i>	Sheldahl
MAURICE E. BARINGER, <i>Treasurer of State</i>	West Des Moines
ROBERT H. LOUNSBERRY, <i>Secretary of Agriculture</i>	McCallsburg
THOMAS J. MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

W. W. REYNOLDSON, <i>Chief Justice</i>	Osceola
ROBERT G. ALLBEE, <i>Justice</i>	Des Moines
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J. L. LARSON, <i>Justice</i>	Harlan
CLAY LeGRAND, <i>Justice</i>	LeClaire
MARK McCORMICK, <i>Justice</i>	Des Moines
ARTHUR A. McGIVERIN, <i>Justice</i>	Ottumwa
WARREN J. REES, <i>Justice</i>	Anamosa
HARVEY UHLENHOPP, <i>Justice</i>	Hampton

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, <i>Chief Judge</i>	Des Moines
JAMES H. CARTER, <i>Judge</i>	Cedar Rapids
ALLEN L. DONIELSON, <i>Judge</i>	Des Moines
JANET A. JOHNSON, <i>Judge</i>	Des Moines
BRUCE M. SNELL, JR., <i>Judge</i>	Ida Grove

**MEMBERS OF THE HOUSE — SIXTY-EIGHTH GENERAL ASSEMBLY VII
1979 REGULAR SESSION**

JAMES O. ANDERSON

Address Brayton
 Age 50
 Occupation Farmer
 Representative District 56—Audubon, Carroll, Cass, Crawford, Greene, Guthrie, Shelby
 Former Legislative Service None

ROBERT T. ANDERSON

Address Newton
 Age 33
 Occupation Teacher
 Representative District 69—Jasper, Marion, Polk, Warren
 Former Legislative Service 66, 67, 67X

ROBERT C. ARNOULD

Address Davenport
 Age 25
 Occupation Legislator
 Representative District 82—Scott
 Former Legislative Service 67 (2nd), 67X

DONALD D. AVENSON

Address Oelwein
 Age 34
 Occupation Tool & Die Maker
 Representative District 15—Bremer, Chickasaw, Fayette, Howard, Winneshiek
 Former Legislative Service 65, 66, 67, 67X

WAYNE BENNETT

Address Galva
 Age 51
 Occupation Farmer
 Representative District 48—Buena Vista, Carroll, Cherokee, Crawford, Ida, Sac
 Former Legislative Service 65, 66, 67, 67X

ROBERT F. BINA

Address Davenport
 Age 39
 Occupation Artist
 Representative District 80—Scott
 Former Legislative Service 66, 67, 67X

DONALD H. BINNEBOESE*

Address Hinton
 Age 54
 Occupation Farmer
 Representative District 49—Cherokee, Plymouth, Woodbury
 Former Legislative Service 66 (2nd), 67, 67X

DIANE BRANDT

Address Cedar Falls
 Age 40
 Occupation Legislator
 Representative District 35—Black Hawk
 Former Legislative Service 66, 67, 67X

* Elected in Special Election February 24, 1976.

CLIFFORD BRANSTAD

Address Thompson
 Age 54
 Occupation Farmer
 Representative District 8—Emmet, Hancock, Kossuth, Winnebago
 Former Legislative Service None

CHARLES H. BRUNER

Address Ames
 Age 30
 Occupation Legislator
 Representative District 41—Story
 Former Legislative Service None

RICHARD L. BYERLY

Address Ankeny
 Age 40
 Occupation College Administrator
 Representative District 61—Polk
 Former Legislative Service 65, 66, 67, 67X

NED F. CHIODO

Address Des Moines
 Age 36
 Occupation Golf Pro
 Representative District 67—Polk
 Former Legislative Service 67, 67X

BETTY JEAN CLARK

Address Rockwell
 Age 58
 Occupation Homemaker
 Representative District 11—Cerro Gordo
 Former Legislative Service 67, 67X

JOHN H. CLARK

Address Keokuk
 Age 32
 Occupation Stockbroker
 Representative District 86—Lee, Henry
 Former Legislative Service 64, 65, 66, 67, 67X

DALE M. COCHRAN

Address Eagle Grove
 Age 50
 Occupation Farmer, Businessman
 Representative District 45—Humboldt, Webster
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X

WALTER CONLON

Address Muscatine
 Age 31
 Occupation Attorney
 Representative District 76—Muscatine, Scott
 Former Legislative Service 67, 67X

MICHAEL W. CONNOLLY

Address Dubuque
 Age 33
 Occupation Teacher
 Representative District 20 — Dubuque
 Former Legislative Service None

JOHN H. CONNORS

Address Des Moines
 Age 56
 Occupation Fire Captain, retired
 Representative District 64 — Polk
 Former Legislative Service 65, 66, 67, 67X

VIRGIL E. COREY

Address Morning Sun
 Age 62
 Occupation Farmer
 Representative District 83 — Des Moines, Henry, Louisa
 Former Legislative Service None

FRANK CRABB

Address Denison
 Age 75
 Occupation Retired Meat Packing Executive
 Representative District 53 — Crawford, Harrison, Monona
 Former Legislative Service 63, 65, 66, 67, 67X

REID W. CRAWFORD

Address Ames
 Age 27
 Occupation Student
 Representative District 42 — Boone, Polk, Story
 Former Legislative Service 65, 66, 67, 67X

GREGORY D. CUSACK

Address Davenport
 Age 35
 Occupation Community Organizer
 Representative District 81 — Scott
 Former Legislative Service 65, 66, 67, 67X

HORACE DAGGETT

Address Lenox
 Age 47
 Occupation Farmer
 Representative District 96 — Adams, Montgomery, Page, Ringgold, Taylor
 Former Legislative Service 65, 66, 67, 67X

ARLYN E. DANKER

Address Minden
 Age 51
 Occupation Farmer
 Representative District 54 — Harrison, Pottawattamie, Shelby
 Former Legislative Service 65, 66, 67, 67X

REPRESENTATIVES - Continued

PHILIP A. DAVITT

Address St. Charles
 Age 47
 Occupation Farmer
 Representative District 58 - Adair, Clarke, Dallas, Madison, Warren
 Former Legislative Service 67, 67X

KENNETH DE GROOT

Address Doon
 Age 49
 Occupation Farmer
 Representative District 1 - Lyon, Sioux
 Former Legislative Service None

WILLIAM W. (BILL) DIELEMAN

Address Pella
 Age 47
 Occupation Life Insurance Underwriter
 Representative District 70 - Jasper, Mahaska, Marion, Poweshiek
 Former Legislative Service 66, 67, 67X

MARVIN E. DIEMER

Address Cedar Falls
 Age 54
 Occupation Public Accounting
 Representative District 36 - Black Hawk
 Former Legislative Service None

DONALD V. DOYLE

Address Sioux City
 Age 53
 Occupation Lawyer
 Representative District 51 - Woodbury
 Former Legislative Service 57, 58, 61, 63, 64, 65, 66, 67, 67X

SONJA EGENES

Address Story City
 Age 48
 Occupation Legislator, Homemaker
 Representative District 43 - Boone, Hamilton, Story, Webster
 Former Legislative Service 64, 65, 66, 67, 67X

COOPER EVANS

Address Grundy Center
 Age 54
 Occupation Farm Manager
 Representative District 38 - Black Hawk, Butler, Franklin, Grundy, Marshall, Tama
 Former Legislative Service 66, 67, 67X

DON GETTINGS**

Address Ottumwa
 Age 55
 Occupation Machine Repairman
 Representative District 90 - Appanoose, Davis, Wapello
 Former Legislative Service 87 (2nd), 67X

** Elected in Special Election May 17, 1977.

REPRESENTATIVES—Continued

XI

RICHARD GROTH

Address Albert City
 Age 32
 Occupation Educator
 Representative District 6—Buena Vista, Cherokee, Clay, O'Brien, Palo Alto, Pocahontas
 Former Legislative Service None

HURLEY W. HALL

Address Marion
 Age 43
 Occupation Engineer
 Representative District 29—Linn
 Former Legislative Service None

ROD HALVORSON

Address Fort Dodge
 Age 29
 Occupation Realtor
 Representative District 46—Webster
 Former Legislative Service None

ROGER A. HALVORSON

Address Monona
 Age 44
 Occupation Insurance, Realtor
 Representative District 17—Allamakee, Clayton, Winneshiek
 Former Legislative Service 66, 67, 67X

INGWER L. HANSEN

Address Hartley
 Age 66
 Occupation Retired
 Representative District 3—Clay, Dickinson, Lyon, O'Brien, Osceola, Sioux
 Former Legislative Service 65, 66, 67, 67X

DARRELL R. HANSON

Address Manchester
 Age 24
 Occupation Legislator
 Representative District 18—Clayton, Delaware, Dubuque, Fayette
 Former Legislative Service None

WILLIAM H. HARBOR

Address Henderson
 Age 58
 Occupation Grain Elevator Owner-Operator
 Representative District 97—Fremont, Mills, Montgomery, Page
 Former Legislative Service 56, 57, 58, 62, 63, 64, 67, 67X

DALE W. HIBBS

Address Iowa City
 Age 38
 Occupation Teacher
 Representative District 74—Johnson
 Former Legislative Service None

REPRESENTATIVES — Continued

HERBERT C. HINKHOUSE

Address West Branch
 Age 61
 Occupation Farmer
 Representative District 24 — Cedar, Clinton, Johnson, Scott
 Former Legislative Service 66, 67, 67X

BETTY A. HOFFMANN

Address Muscatine
 Age 57
 Occupation Former Businesswoman
 Representative District 75 — Johnson, Louisa, Muscatine
 Former Legislative Service 67, 67X

LEE HOLT

Address Spencer
 Age 69
 Occupation Automobile Dealer
 Representative District 4 — Clay, Dickinson, Emmet, Palo Alto
 Former Legislative Service None

WALLY E. HORN

Address Cedar Rapids
 Age 45
 Occupation Teacher
 Representative District 28 — Linn
 Former Legislative Service 65, 66, 67, 67X

ROLLIN K. HOWELL

Address Marble Rock
 Age 49
 Occupation Farmer
 Representative District 13 — Cerro Gordo, Floyd, Mitchell
 Former Legislative Service 65, 66, 67, 67X

ARLO HULLINGER

Address Leon
 Age 57
 Occupation Farmer
 Representative District 94 — Clarke, Decatur, Madison, Ringgold, Union, Wayne
 Former Legislative Service 61, 62, 66, 67, 67X

KYLE HUMMEL

Address Vinton
 Age 43
 Occupation Contractor-Realtor
 Representative District 31 — Benton, Black Hawk, Buchanan, Linn, Tama
 Former Legislative Service None

EMIL J. HUSAK

Address Toledo
 Age 48
 Occupation Farmer
 Representative District 71 — Benton, Iowa, Poweshiek, Tama
 Former Legislative Service 64, 65, 66, 67, 67X

DANIEL JAY

Address Moulton
 Age 24
 Occupation Law Student
 Representative District 93—Appanoose, Clarke, Lucas, Monroe, Wayne
 Former Legislative Service None

NORMAN G. JESSE

Address Des Moines
 Age 41
 Occupation Attorney
 Representative District 62—Polk
 Former Legislative Service 63, 64, 65, 66, 67, 67X

THOMAS J. JOCHUM

Address Dubuque
 Age 27
 Occupation Laborer
 Representative District 19—Dubuque
 Former Legislative Service 66, 67, 67X

JAMES JOHNSON

Address Elma
 Age 39
 Occupation Businessman
 Representative District 14—Chickasaw, Floyd, Howard, Mitchell
 Former Legislative Service None

ROBERT M. L. JOHNSON

Address Cedar Rapids
 Age 57
 Occupation Marketing Manager
 Representative District 26—Linn
 Former Legislative Service None

WARREN JOHNSON

Address Sloan
 Age 56
 Occupation Farmer
 Representative District 52—Monona, Woodbury
 Former Legislative Service None

LARRY KIRKENSLAGER

Address Burlington
 Age 34
 Occupation Electrician
 Representative District 84—Des Moines
 Former Legislative Service None

LYLE R. KREWSON

Address Urbandale
 Age 35
 Occupation Self-employed, Legislator
 Representative District 59—Polk
 Former Legislative Service 67, 67X

RAY LAGESCHULTE

Address Waverly
 Age 56
 Occupation Farmer, Insurance Adjuster
 Representative District 37—Black Hawk, Bremer, Butler, Floyd
 Former Legislative Service 66, 67, 67X

SONJA LARSEN

Address Ottumwa
 Age 37
 Occupation Realtor
 Representative District 89—Mahaska, Monroe, Wapello
 Former Legislative Service None

THOMAS A. LIND

Address Waterloo
 Age 60
 Occupation Teacher, Businessman
 Representative District 33—Black Hawk
 Former Legislative Service 67 (2nd), 67X

JEAN LLOYD-JONES

Address Iowa City
 Age 49
 Occupation Legislator
 Representative District 73—Johnson
 Former Legislative Service None

JOYCE LONERGAN

Address Boone
 Age 44
 Occupation Homemaker
 Representative District 44—Boone, Greene
 Former Legislative Service 66, 67, 67X

JAMES A. LORENZEN

Address Davenport
 Age 24
 Occupation Sales Representative
 Representative District 79—Scott
 Former Legislative Service None

MICK LURA

Address Marshalltown
 Age 30
 Occupation Accountant
 Representative District 39—Marshall
 Former Legislative Service None

RUHL MAULSBY

Address Rockwell City
 Age 55
 Occupation Farmer
 Representative District 47—Calhoun, Carroll, Greene, Pocahontas, Sac
 Former Legislative Service None

ANDY McKEAN

Address Morley
 Age 29
 Occupation College Instructor, Square Dance Caller
 Representative District 23 - Cedar, Clinton, Jackson, Jones
 Former Legislative Service None

LESTER D. MENKE

Address Calumet
 Age 60
 Occupation Farmer, Insurance
 Representative District 5 - Buena Vista, Cherokee, Clay, O'Brien, Plymouth
 Former Legislative Service 65, 66, 67, 67X

FLOYD H. MILLEN

Address Farmington
 Age 59
 Occupation Retired Businessman
 Representative District 87 - Henry, Jefferson, Keokuk, Lee, Van Buren, Wapello, Washington
 Former Legislative Service 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X

KENNETH D. MILLER

Address Independence
 Age 53
 Occupation Owner Mobile Home Court
 Representative District 32 - Black Hawk, Buchanan
 Former Legislative Service 65, 66, 67, 67X

SUE MULLINS

Address Corwith
 Age 42
 Occupation Farm Homemaker
 Representative District 7 - Hancock, Humboldt, Kossuth, Palo Alto, Pocahontas
 Former Legislative Service None

LOWELL E. NORLAND

Address Kensett
 Age 47
 Occupation Farmer
 Representative District 12 - Cerro Gordo, Worth
 Former Legislative Service 65, 66, 67, 67X

JAMES O'KANE

Address Sioux City
 Age 27
 Occupation Paralegal
 Representative District 50 - Woodbury
 Former Legislative Service None

M. B. (MIKE) OXLEY

Address Marion
 Age 56
 Occupation Farmer
 Representative District 30 - Linn
 Former Legislative Service 61, 67, 67X

JOHN E. PATCHETT

Address North Liberty
 Age 29
 Occupation Legislator, Law Student
 Representative District 25—Johnson, Linn
 Former Legislative Service 65, 66, 67, 67X

EMIL S. PAVICH

Address Council Bluffs
 Age 47
 Occupation Cereal Company Employee
 Representative District 99—Pottawattamie
 Former Legislative Service 66, 67, 67X

WENDELL C. PELLETT

Address Atlantic
 Age 61
 Occupation Farmer
 Representative District 95—Adair, Adams, Cass, Guthrie, Union
 Former Legislative Service 64, 65, 66, 67, 67X

JOHN PELTON

Address Clinton
 Age 32
 Occupation Attorney
 Representative District 77—Clinton
 Former Legislative Service 67, 67X

CARROLL T. PERKINS

Address Jefferson
 Age 52
 Occupation Agriculture
 Representative District 55—Audubon, Carroll, Crawford, Greene, Guthrie
 Former Legislative Service 66, 67, 67X

VIRGINIA POFFENBERGER

Address Perry
 Age 44
 Occupation Lawyer
 Representative District 57—Adair, Dallas, Guthrie
 Former Legislative Service None

LAWRENCE POPE

Address Des Moines
 Age 38
 Occupation Law Professor
 Representative District 65—Polk
 Former Legislative Service None

STEPHEN J. RAPP

Address Waterloo
 Age 29
 Occupation Attorney
 Representative District 34—Black Hawk
 Former Legislative Service 65

DOUG RITSEMA

Address Orange City
 Age 26
 Occupation Lawyer
 Representative District 2 — Plymouth, Sioux
 Former Legislative Service None

HUGO SCHNEKLOTH

Address Eldridge
 Age 55
 Occupation Farmer
 Representative District 78 — Clinton, Scott
 Former Legislative Service 67, 67X

LAVERNE W. SCHROEDER

Address McClelland
 Age 45
 Occupation Farmer
 Representative District 98 — Mills, Pottawattamie
 Former Legislative Service 62, 63, 64, 65, 66, 67, 67X

RICHARD SHERZAN

Address Altoona
 Age 32
 Occupation Rental Housing Mediator
 Representative District 63 — Polk
 Former Legislative Service None

NANCY J. SHIMANEK

Address Monticello
 Age 31
 Occupation Lawyer
 Representative District 22 — Delaware, Dubuque, Jackson, Jones
 Former Legislative Service 67, 67X

DOUGLAS SHULL

Address Indianola
 Age 35
 Occupation Accountant-C.P.A.
 Representative District 92 — Lucas, Marion, Warren
 Former Legislative Service None

DOUGLAS R. SMALLEY

Address Des Moines
 Age 32
 Occupation Attorney
 Representative District 60 — Polk
 Former Legislative Service 67, 67X

CLAY SPEAR

Address Burlington
 Age 62
 Occupation Retired-Postal Service
 Representative District 85 — Des Moines, Lee
 Former Legislative Service 66, 67, 67X

XVIII

REPRESENTATIVES — Continued

DELWYN STROMER

Address Garner
 Age 48
 Occupation Farmer, Legislator
 Representative District 9 — Cerro Gordo, Franklin, Hancock, Wright
 Former Legislative Service 62, 63, 64, 65, 66, 67, 67X

GEORGE R. SWEARINGEN

Address Sigourney
 Age 55
 Occupation Assistant Manager Grain Elevator
 Representative District 88 — Keokuk, Washington
 Former Legislative Service None

PATRICIA L. THOMPSON

Address West Des Moines
 Age 51
 Occupation Legislator, Banker (Part-time)
 Representative District 66 — Polk
 Former Legislative Service 67, 67X

SEMOR C. TOFTE

Address Decorah
 Age 67
 Occupation Retired
 Representative District 16 — Fayette, Howard, Winneshiek
 Former Legislative Service 65, 66, 67, 67X

PHILLIP E. TYRRELL

Address North English
 Age 46
 Occupation Insurance
 Representative District 72 — Benton, Iowa, Johnson, Keokuk, Poweshiek
 Former Legislative Service None

HAROLD VAN MAANEN

Address Oskaloosa
 Age 49
 Occupation Farmer
 Representative District 91 — Keokuk, Lucas, Mahaska, Marion, Monroe, Poweshiek
 Former Legislative Service None

CRAIG D. WALTER

Address Council Bluffs
 Age 29
 Occupation Self-employed
 Representative District 100 — Pottawattamie
 Former Legislative Service 66, 67, 67X

RICHARD W. WELDEN

Address Iowa Falls
 Age 70
 Occupation Retired Contractor
 Representative District 10 — Franklin, Hardin, Wright
 Former Legislative Service 62, 63, 64, 65, 66, 67, 67X

JAMES D. WELLS

Address Cedar Rapids
 Age 50
 Occupation Shift Leader
 Representative District 27 — Benton, Linn
 Former Legislative Service 63, 64, 65, 66, 67, 67X

JOSEPH WELSH

Address Dubuque
 Age 23
 Occupation Deputy Sheriff
 Representative District 21 — Dubuque, Jackson
 Former Legislative Service None

JAMES C. WEST

Address State Center
 Age 46
 Occupation Retailer (Furniture)
 Representative District 40 — Grundy, Hardin, Jasper, Marshall, Story
 Former Legislative Service 65, 66, 67, 67X

JACK E. WOODS

Address Des Moines
 Age 42
 Occupation Self Employed
 Representative District 68 — Polk, Warren
 Former Legislative Service 65, 66, 67, 67X

**XX MEMBERS OF THE SENATE — SIXTY—EIGHTH GENERAL ASSEMBLY
1979 REGULAR SESSION**

IRVIN L. BERGMAN

Address Harris
Age 67
Occupation Farmer, Businessman
Senatorial District 2—Osceola, Clay, Dickinson, Emmet, Lyon, O'Brien, Palo Alto, Sioux
Former Legislative Service 62, 63, 64, 65, 66, 67, 67X

STEPHEN W. BISENIUS

Address Cascade
Age 31
Occupation Realtor
Senatorial District 11—Dubuque, Delaware, Jackson, Jones
Former Legislative Service 67, 67X

JAMES E. BRILES

Address Corning
Age 58
Occupation Auctioneer, Real Estate
Senatorial District 48—Adams, Adair, Cass, Guthrie, Montgomery, Page, Ringgold, Taylor, Union
Former Legislative Service 56, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X

JOE BROWN

Address Montezuma
Age 27
Occupation High School Government and Economics Teacher
Senatorial District 35—Poweshiek, Jasper, Mahaska, Marion, Polk, Warren
Former Legislative Service None

JAMES CALHOON

Address Sioux City
Age 30
Occupation Meat Cutter
Senatorial District 26—Woodbury, Monona
Former Legislative Service 67, 67X

CLARENCE CARNEY

Address Sioux City
Age 53
Occupation Utility Executive
Senatorial District 25—Woodbury, Cherokee, Plymouth
Former Legislative Service None

ROBERT M. CARR

Address Dubuque
Age 41
Occupation Securities Broker
Senatorial District 10—Dubuque
Former Legislative Service 65, 66, 67, 67X

C. JOSEPH COLEMAN

Address Clare
Age 55
Occupation Farmer, Businessman
Senatorial District 23—Webster, Humboldt
Former Legislative Service 57, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X

SENATORS — Continued

XXI

RICHARD COMITO

Address Waterloo
 Age 39
 Occupation Businessman, Pharmacist
 Senatorial District 17 — Black Hawk
 Former Legislative Service None

ROLF V. CRAFT

Address Decorah
 Age 41
 Occupation Farmer, Teacher
 Senatorial District 8 — Bremer, Chickasaw, Fayette, Howard, Winneshiek
 Former Legislative Service 67, 67X

LUCAS J. DeKOSTER

Address Hull
 Age 60
 Occupation Lawyer, Insurance Agent
 Senatorial District 1 — Sioux, Lyon, Plymouth
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X

PATRICK J. DELUHERY

Address Davenport
 Age 36
 Occupation College Teacher
 Senatorial District 41 — Scott
 Former Legislative Service None

RICHARD F. DRAKE

Address Muscatine
 Age 51
 Occupation General Farming
 Senatorial District 38 — Muscatine, Johnson, Louisa, Scott
 Former Legislative Service 63, 64, 65, 66, 67, 67X

JAMES V. GALLAGHER

Address Jesup
 Age 45
 Occupation Telephone Company
 Senatorial District 16 — Black Hawk, Benton, Buchanan, Linn, Tama
 Former Legislative Service 61, 62, 65, 66, 67, 67X

JULIA B. GENTLEMAN

Address Des Moines
 Age 47
 Occupation Housewife
 Senatorial District 33 — Polk
 Former Legislative Service 66, 67, 67X

NORMAN J. GOODWIN

Address DeWitt
 Age 65
 Occupation Retired County Extension Director
 Senatorial District 39 — Clinton, Scott
 Former Legislative Service None

ARTHUR L. GRATIAS

Address Nora Springs
 Age 58
 Occupation Farmer, Educator
 Senatorial District 7 — Floyd, Cerro Gordo, Chickasaw, Howard, Mitchell
 Former Legislative Service None

W. R. (BILL) HANSEN

Address Cedar Falls
 Age 47
 Occupation Insurance and Real Estate Consultant
 Senatorial District 18 — Black Hawk
 Former Legislative Service 63, 64, 65, 66, 67, 67X

JACK W. HESTER

Address Honey Creek
 Age 49
 Occupation Farmer
 Senatorial District 27 — Pottawattamie, Crawford, Harrison, Monona, Shelby
 Former Legislative Service None

EDGAR H. HOLDEN

Address Davenport
 Age 64
 Occupation Entrepreneur
 Senatorial District 40 — Scott
 Former Legislative Service 62, 63, 64, 65, 67 (2nd)

MERLIN D. HULSE

Address Clarence
 Age 55
 Occupation Farmer
 Senatorial District 12 — Cedar, Clinton, Jackson, Johnson, Jones, Scott
 Former Legislative Service 67, 67X

CALVIN O. HULTMAN

Address Red Oak
 Age 37
 Occupation Businessman
 Senatorial District 49 — Montgomery, Fremont, Mills, Page, Pottawattamie
 Former Legislative Service 65, 66, 67, 67X

C. W. (BILL) HUTCHINS

Address Guthrie Center
 Age 47
 Occupation Self-employed, Businessman
 Senatorial District 28 — Guthrie, Audubon, Carroll, Cass, Crawford, Greene, Shelby
 Former Legislative Service 65, 66, 67, 67X

JOHN W. JENSEN

Address Plainfield
 Age 52
 Occupation Farmer
 Senatorial District 19 — Bremer, Black Hawk, Butler, Floyd, Franklin, Grundy, Marshall, Tama
 Former Legislative Service None

LOWELL L. JUNKINS

Address Montrose
 Age 34
 Occupation Ambulance Service Owner-Operator; Farmer
 Senatorial District 43—Lee, Des Moines, Henry
 Former Legislative Service 65, 66, 67, 67X

GEORGE R. KINLEY

Address Des Moines
 Age 41
 Occupation Owner-Operator of Golf Sales
 Senatorial District 34—Polk, Warren
 Former Legislative Service 64, 65, 66, 67, 67X

A. R. (BUD) KUDART

Address Cedar Rapids
 Age 48
 Occupation Lawyer
 Senatorial District 13—Linn, Johnson
 Former Legislative Service None

ALVIN V. MILLER

Address Ventura
 Age 57
 Occupation Retail Merchant, Insurance Agency, Farming
 Senatorial District 6—Cerro Gordo, Worth
 Former Legislative Service 65, 66, 67, 67X

CHARLES P. MILLER

Address Burlington
 Age 60
 Occupation Doctor of Chiropractic
 Senatorial District 42—Des Moines, Henry, Louisa
 Former Legislative Service 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X

ELIZABETH R. MILLER

Address Marshalltown
 Age 73
 Occupation Homemaker
 Senatorial District 20—Marshall, Grundy, Hardin, Jasper, Story
 Former Legislative Service 63, 64, 65, 66, 67, 67X

JOHN S. MURRAY

Address Ames
 Age 39
 Occupation Attorney
 Senatorial District 21—Story, Boone, Polk
 Former Legislative Service 65, 66, 67, 67X

JOHN N. NYSTROM

Address Boone
 Age 45
 Occupation Auto Dealer
 Senatorial District 22—Boone, Greene, Hamilton, Story, Webster
 Former Legislative Service 64, 65, 66, 67, 67X

JOANN ORR

Address Grinnell
 Age 55
 Occupation Legislator
 Senatorial District 36 — Poweshiek, Benton, Iowa, Johnson, Keokuk, Tama
 Former Legislative Service 63 (2nd), 65, 66, 67, 67X

WILLIAM D. PALMER

Address Des Moines
 Age 43
 Occupation Insurance
 Senatorial District 32 — Polk
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X

BERL E. PRIEBE

Address Algona
 Age 60
 Occupation Farmer-Businessman
 Senatorial District 4 — Kosuth, Emmet, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago
 Former Legislative Service 63, 64, 65, 66, 67, 67X

RICHARD R. RAMSEY

Address Osceola
 Age 38
 Occupation Attorney
 Senatorial District 47 — Clarke, Appanoose, Decatur, Lucas, Madison, Monroe, Ringgold, Union, Wayne
 Former Legislative Service 65, 66, 67, 67X

DAVID M. READINGER

Address Des Moines
 Age 42
 Occupation Sales
 Senatorial District 30 — Polk
 Former Legislative Service 65, 66, 67, 67X

CLOYD E. ROBINSON

Address Cedar Rapids
 Age 40
 Occupation Production Line Operator
 Senatorial District 14 — Linn, Benton
 Former Legislative Service 64, 65, 66, 67, 67X

NORMAN G. RODGERS

Address Adel
 Age 51
 Occupation Farmer-Businessman
 Senatorial District 29 — Dallas, Adair, Clarke, Guthrie, Madison, Warren
 Former Legislative Service 63, 64, 65, 66, 67, 67X

BOB RUSH

Address Cedar Rapids
 Age 34
 Occupation Lawyer
 Senatorial District 15 — Linn
 Former Legislative Service 67, 67X

FORREST V. SCHWENGELS

Address Fairfield
 Age 63
 Occupation Real Estate
 Senatorial District 44—Henry, Jefferson, Keokuk, Lee, Van Buren, Wapello, Washington
 Former Legislative Service 65, 66, 67, 67X

JOHN R. SCOTT

Address Pocahontas
 Age 34
 Occupation Farmer-Attorney
 Senatorial District 24—Pocahontas, Buena Vista, Calhoun, Carroll, Cherokee, Crawford, Greene, Ida, Sac
 Former Legislative Service 67, 67X

TOM SLATER

Address Council Bluffs
 Age 33
 Occupation Advertising
 Senatorial District 50—Pottawattamie
 Former Legislative Service 67, 67X

ARTHUR A. SMALL, JR.

Address Iowa City
 Age 45
 Occupation Businessman
 Senatorial District 37—Johnson
 Former Legislative Service 64, 65, 66, 67, 67X

RAY TAYLOR

Address Steamboat Rock
 Age 55
 Occupation Farming-Retailing
 Senatorial District 5—Hardin, Cerro Gordo, Franklin, Hancock, Wright
 Former Legislative Service 65, 66, 67, 67X

DALE L. TIEDEN

Address Elkader
 Age 56
 Occupation Farmer
 Senatorial District 9—Clayton, Allamakee, Delaware, Dubuque, Fayette, Winneshiek
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X

BASS VAN GILST

Address Oskaloosa
 Age 67
 Occupation Farming
 Senatorial District 46—Mahaska, Keokuk, Lucas, Marion, Monroe, Poweshiek, Warren
 Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X

ARNE WALDSTEIN

Address Storm Lake
 Age 53
 Occupation Professional Farm Manager and Rural Appraiser
 Senatorial District 3—Buena Vista, Cherokee, Clay, O'Brien, Palo Alto, Plymouth, Pocahontas
 Former Legislative Service None

EARL M. WILLITS

Address Des Moines
Age 32
Occupation Lawyer
Senatorial District 31 — Polk
Former Legislative Service 64, 65, 66, 67, 67X

SUE YENGER

Address Ottumwa
Age 40
Occupation Legislator, Homemaker
Senatorial District 45 — Wapello, Appanoose, Davis, Mahaska, Monroe
Former Legislative Service None

JOURNAL OF THE HOUSE

First Calendar Day—First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 8, 1979

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the House of Representatives of the Sixty-eighth General Assembly of Iowa, 1979 Regular Session, convened at 10:00 a.m., Monday, January 8, 1979.

The House was called to order by the Honorable Frank Crabb from Crawford County.

Prayer was offered by the Reverend M. Ellsworth Walker, Treasurer, United Methodist Church of Iowa, Des Moines, Iowa.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stan Haugland, Iowa Methodist Medical Center, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Ritsema of Sioux for January 8, 9 and 10, on request of Lura of Marshall; Chiodo of Polk for January 8 and 9 on request of Woods of Polk; Miller of Buchanan for the week of January 8 and Connolly of Dubuque for January 8 and 9 on request of Avenson of Fayette.

CERTIFICATION STATE OF IOWA

office of
THE SECRETARY OF STATE

To the Honorable, Speaker of the House:

I, MELVIN D. SYNHORST, Secretary of the State of Iowa, custodian of the files and records pertaining to elections in the state,

DO HEREBY CERTIFY, that the State Canvassing Board has declared that at Special Elections held on November 7, 1978, Kenneth De Groot was elected to fill the office of State Representative for the First District, and Dale W. Hibbs was declared elected to fill the office of State Representative for the Seventy-Fourth District, to fill

vacancies in the two year terms which began on January 1, 1977.

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the capitol, in Des Moines, this 15th day of November, 1978.

MELVIN D. SYNHORST, Secretary of State.

TEMPORARY OFFICERS

On motion by Daggett of Taylor, David L. Wray of Polk County was elected Acting Chief Clerk. Mr. Wray presented himself and took and subscribed to the following oath:

"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 and impartially discharge the duties of my office to the best of my ability, so help me God."

Harbor of Mills moved that the Honorable Frank Crabb of Crawford County be elected Temporary Speaker.

The motion prevailed and the oath of office was administered to the Honorable Frank Crabb by Acting Chief Clerk Wray.

Temporary Speaker Crabb in the chair.

CREDENTIALS OF MEMBERS

Bennett of Ida moved that a committee of five on credentials be appointed and that the accredited list of the Secretary of State be accepted.

The motion prevailed and the following committee was appointed: Bennett of Ida, Danker of Pottawattamie, Welden of Hardin, Cochran of Webster and Connors of Polk.

The committee retired and, upon returning, presented the following report:

REPORT OF COMMITTEE ON CREDENTIALS

MR. SPEAKER: We, your committee on credentials, respectfully report that we find the following named persons duly elected to and entitled to seats in the House of Representatives of the Sixty-eighth General Assembly as shown by duplicate copies of the certificates of election on file in the office of the Secretary of State:

CERTIFICATION

STATE OF IOWA
Office of
THE SECRETARY OF STATE

To the Honorable, The Chief Clerk of the House of Representatives:

I, MELVIN D. SYNHORST, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at a General Election held on November 7, 1978, each of the following named persons was duly elected to the office of State Representative for the term of two years beginning on the first day of January, 1979.

First	Kenneth De Groot
Second	Doug Ritsema
Third	Ingwer L. Hansen
Fourth	Lee Holt
Fifth	Lester D. Menke
Sixth	Richard Groth
Seventh	Sue Mullins
Eighth	Clifford Branstad
Ninth	Delwyn D. Stromer
Tenth	Richard W. Welden
Eleventh	Betty Jean Clark
Twelfth	Lowell Norland
Thirteenth	Rollin K. Howell
Fourteenth	Jim Johnson
Fifteenth	Donald D. Avenson
Sixteenth	Semor C. Tofte
Seventeenth	Roger A. Halvorson
Eighteenth	Darrell R. Hanson
Nineteenth	Thomas J. Jochum
Twentieth	Michael W. Connolly
Twenty-first	Joe Welsh
Twenty-second	Nancy J. Shimanek
Twenty-third	Andy McKean
Twenty-fourth	Herbert C. Hinkhouse
Twenty-fifth	John E. Patchett
Twenty-sixth	Robert M. L. Johnson
Twenty-seventh	James D. Wells
Twenty-eighth	Wally E. Horn
Twenty-ninth	Hurley W. Hall
Thirtieth	Myron B. Oxley
Thirty-first	Kyle Hummel
Thirty-second	Kenneth D. Miller
Thirty-third	Thomas A. Lind
Thirty-fourth	Stephen J. Rapp
Thirty-fifth	Diane Brandt
Thirty-sixth	Marvin E. Diemer
Thirty-seventh	Raymond Lageschulte
Thirty-eighth	Cooper Evans

Thirty-ninth	Mick Lura
Fortieth	James C. West
Forty-first	Charles H. Bruner
Forty-second	Reid W. Crawford
Forty-third	Sonja Egenes
Forty-fourth	Joyce Loneragan
Forty-fifth	Dale M. Cochran
Forty-sixth	Rod Halvorson
Forty-seventh	Ruhl Maulsby
Forty-eighth	Wayne Bennett
Forty-ninth	Donald H. Binneboese
Fiftieth	Jim O'Kane
Fifty-first	Donald V. Doyle
Fifty-second	Warren Johnson
Fifty-third	Frank Crabb
Fifty-fourth	Arlyn E. Danker
Fifty-fifth	Carroll Perkins
Fifty-sixth	James O. Anderson
Fifty-seventh	Virginia Poffenberger
Fifty-eighth	Philip Davitt
Fifty-ninth	Lyle R. Krewson
Sixtieth	Douglas R. Smalley
Sixty-first	Rich Byerly
Sixty-second	Norman G. Jesse
Sixty-third	Richard Sherzan
Sixty-fourth	John H. Connors
Sixty-fifth	Lawrence Pope
Sixty-sixth	Patricia L. Thompson
Sixty-seventh	Ned F. Chiodo
Sixty-eighth	Jack E. Woods
Sixty-ninth	Robert T. Anderson
Seventieth	Bill Dieleman
Seventy-first	Emil J. Husak
Seventy-second	Phillip E. Tyrrell
Seventy-third	Jean Lloyd-Jones
Seventy-fourth	Dale W. Hibbs
Seventy-fifth	Betty A. Hoffmann
Seventy-sixth	Walter Conlon
Seventy-seventh	John Pelton
Seventy-eighth	Hugo Schnekloth
Seventy-ninth	James A. Lorenzen
Eightieth	Robert F. Bina
Eighty-first	Gregory D. Cusack
Eighty-second	Robert C. Arnould
Eighty-third	Virgil E. Corey
Eighty-fourth	Larry Kirkenslager
Eighty-fifth	Clay Spear
Eighty-sixth	John Howard Clark
Eighty-seventh	Floyd H. Millen
Eighty-eighth	George R. Swearingen
Eighty-ninth	Sonja Larsen
Ninetieth	Don Gettings

Ninety-first	Harold Van Maanen
Ninety-second	Doug Shull
Ninety-third	Daniel Jay
Ninety-fourth	Arlo V. Hullinger
Ninety-fifth	Wendell C. Pellett
Ninety-sixth	Horace Daggett
Ninety-seventh	William H. Harbor
Ninety-eighth	Laverne William Schroeder
Ninety-ninth	Emil S. Pavich
One hundredth	Craig D. Walter

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 8th day of January, 1979.

MELVIN D. SYNHORST, Secretary of State

WAYNE BENNETT, Chair
 ARLYN E. DANKER
 RICHARD W. WELDEN
 DALE M. COCHRAN
 JOHN H. CONNORS

Bennett of Ida moved that the report of the committee on credentials be adopted.

The motion prevailed and the report was adopted.

MEMBERS' OATH OF OFFICE

The following members took and subscribed to the following oath:

"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 and impartially discharge the duties of the office of Representative in the General Assembly of the State of Iowa to the best of my ability, so help me God."

- James O. Anderson
- Robert T. Anderson
- Robert C. Arnould
- Donald D. Avenson
- Wayne Bennett
- Robert F. Bina
- Donald H. Binneboese
- Diane Brandt
- Clifford Branstad
- Charles H. Bruner
- Richard L. Byerly
- Betty Jean Clark

John H. Clark
Dale M. Cochran
Walter Conlon
John H. Connors
Virgil E. Corey
Frank Crabb
Reid W. Crawford
Gregory D. Cusack
Horace Daggett
Arlyn E. Danker
Philip A. Davitt
Kenneth De Groot
William W. Dieleman
Marvin E. Diemer
Donald V. Doyle
Sonja Egenes
Cooper Evans
Don Gettings
Richard Groth
Hurley W. Hall
Rod N. Halvorson
Roger A. Halvorson
Ingwer L. Hansen
Darrell R. Hanson
William H. Harbor
Dale W. Hibbs
Herbert C. Hinkhouse
Betty A. Hoffmann
Lee Holt
Wally E. Horn
Rollin K. Howell
Arlo Hullinger
Kyle Hummel
Emil J. Husak
Daniel Jay
Norman G. Jesse
Thomas J. Jochum
Jim Johnson
Robert M. L. Johnson
Warren Johnson
Larry Kirkenlager
Lyle R. Krewson
Ray Lageschulte
Sonja Larsen
Thomas A. Lind
Jean Lloyd-Jones
Joyce Lonergan
James A. Lorenzen
Mick Lura
Ruhl Maulsby
Andy McKean
Lester D. Menke

Floyd H. Millen
Sue Mullins
Lowell E. Norland
Jim O'Kane
Myron B. Oxley
John E. Patchett
Emil S. Pavich
Wendell C. Pellett
John Pelton
Carroll Perkins
Virginia Poffenberger
Lawrence Pope
Stephen J. Rapp
Doug Ritsema*
Hugo Schnekloth
Laverne W. Schroeder
Richard Sherzan
Nancy J. Shimanek
Doug Shull
Douglas R. Smalley
Clay Spear
Delwyn Stromer
George R. Swearingen
Patricia L. Thompson
Semor C. Tofte
Phillip E. Tyrrell
Harold Van Maanen
Craig D. Walter
Richard W. Welden
James D. Wells
Joe Welsh
James C. West
Jack E. Woods
*Duly sworn earlier by Chief Clerk

ELECTION OF SPEAKER

Hansen of O'Brien presented the name of the Honorable Floyd H. Millen as candidate for Speaker of the House of Representatives of the Sixty-eighth General Assembly, preceding such nomination with the following remarks:

Our nominee for Speaker is one of two senior representatives in this chamber. He is beginning his ninth term.

He has been Speaker pro tempore and for the past four years has been the Republican Floor Leader. He has been chairman of a host of committees, and has worked with other state legislators on a national level.

His vast legislative experience has tempered his judgment. His service as Speaker will be a credit to the House of Representatives and the General Assembly.

Mr. Speaker, I nominate the gentleman from Van Buren, the Honorable Floyd Millen, for the Office of Speaker of the House of Representatives for the Sixty-eighth General Assembly.

Clark of Lee seconded the nomination of Floyd H. Millen for Speaker of the House, preceded by the following remarks:

Mr. Speaker, Members of the House, it is with pride that I second the nomination of Floyd Millen of Van Buren County as Speaker of the House.

For nearly two decades Mr. Millen has served as a leader in this body. He has held responsible positions in both the majority and minority caucuses. As Speaker pro tempore Mr. Millen demonstrated an exceptional knowledge of House rules and the ability to make fair and impartial judgments.

As one who represents a district adjacent to Mr. Millen's, I very early came to appreciate his willingness to help the newer members of the House. When I came to the House as a new member, Mr. Millen was one of those senior members who took the time to assist me in learning the procedures of the House.

Those of you who have served in prior sessions are familiar with Mr. Millen's abilities. Those of you who are serving for the first time will find that Mr. Millen will be very helpful in assisting you in the performance of your duties.

Therefore, I am honored to second the nomination of Floyd Millen as Speaker of the House.

Avenson of Fayette seconded the nomination of Floyd H. Millen for Speaker of the House, preceded by the following remarks:

I am pleased and honored to second the nomination of Floyd Millen as Speaker of the Iowa House of Representatives.

Though we are in the minority this session, our obligations to the people of Iowa are every bit as great as those of the members of the majority. We must honestly and faithfully represent those whom we are elected to serve.

To fulfill our obligations to our constituents and the people of Iowa, we will point out the problems we feel need to be addressed and the deficiencies we may see in solutions the majority party proposes. There are many areas of immediate and immense concern to the people of Iowa, including the problems of declining enrollment, inequities in the income and property tax structures, denial of equal rights and provision of adequate care for our elderly. These are issues we are willing and determined to solve.

In this biennium, the Republican party will control both houses of the General Assembly, the Governor's office and all other executive offices except that of the Attorney General. If the needs of the people of Iowa are to be met and their tax money spent efficiently, the majority party must act creatively and effectively. We will assist in achieving those goals and will not use obstructionist tactics for the sake of politics. However, as Mr. Millen said in 1977, we will not let the majority party use parliamentary rules to keep our ideas and proposals from being heard.

I have worked with Mr. Millen since I came to the General Assembly in 1973. I have known Floyd to be a dedicated and conscientious legislator who was an active leader during the past as House minority leader. I am looking forward to working with Mr. Millen to solve the problems of this state even though he does drive a Lincoln Continental.

Therefore, I move that the Chief Clerk be authorized to cast a unanimous ballot for the Honorable Floyd Millen as Speaker of the House for the Sixty-eighth General Assembly.

In accordance with the foregoing motion, the Acting Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Floyd H. Millen as Speaker of the House of Representatives of the Sixty-eighth General Assembly. The Honorable Floyd H. Millen of Van Buren County, having received all of the votes cast for the office of Speaker of the House of Representatives of the Sixty-eighth General Assembly, was declared duly elected to that office.

Stromer of Hancock moved that a committee of two be named to escort the Speaker to the chair.

The motion prevailed and the following committee was named: Stromer of Hancock and Lind of Black Hawk.

PRESENTATION OF SPEAKER

The Honorable Floyd H. Millen was escorted to the Speaker's station and, having been sworn, assumed the chair. Temporary Speaker Crabb of Crawford presented Speaker Millen with the gavel and congratulated him on his unanimous election.

Speaker Millen thanked the House for the honor bestowed upon him and offered the following remarks:

These words seem so inadequate, but "thank you" for the honor you have bestowed on me. I take this honor, and the responsibilities connected with it, very seriously and I would like to share with you a few of my thoughts concerning the responsibilities we all have.

Members of the Iowa House, by virtue of their two year term of office, are probably more representative of the thinking of the people who elected them than are Senators; to me, the Senate is a stabilizing body. For this reason, I feel I have been elected as a representative of all of you and each of your constituents.

I intend to use the authority you have granted me in such a way as to retain the confidence of all of you, not to use it as power for power's sake.

As such, I welcome your counsel and suggestions, whether you are a Republican or a Democrat, a freshman or an incumbent. My office will be open to you so that together we can properly legislate for the State of Iowa.

The dignity of this Chamber must be re-established and preserved. We must have enough pride in the State of Iowa, the position of trust and responsibility to which we have been elected by the people of our individual districts and ourselves to be respectful of each other. We must conduct ourselves in a manner befitting of, and in relationship to, the dignity of the offices we hold.

It is my own personal request that everyone associated with the Iowa House of Representatives will always be courteous, neat and clean in their appearance, and wear clothing appropriate to this Chamber. Each of us could be the one person the public remembers in its association with the House and that association should and will reflect on all of us.

The temptation to make headlines will be strong, particularly for those of you aspiring to higher office. However, I would remind you that we are here to work as a team toward what is right and beneficial for Iowa and each of her citizens, not toward our own political ambitions. Each of you can gain much more in that approach than by working just for yourself.

As for myself, as I said, my door will be open to the members of both parties because if I don't know how each one of you feels, I'm not going to be successful in my role as your leader and spokesperson for the Iowa House of Representatives.

In this regard, it is my intention to keep both the majority and minority leadership fully informed as to the direction we will be going and implore that they do the same with all of you in your individual party caucuses. I want all of us to be a part of this very important process, after all, you represent 28,000 people just as I do.

Not only is my door open to the leadership, but I am extending a special welcome and invitation to all new members to come and discuss your problems, concerns and ideas to me.

Also, I invite the people's representatives to visit with me. Some call them lobbyists, I don't like that term since they represent persons and organizations that have legitimate concerns but who, for various reasons, cannot be here themselves. These representatives of the people have been retained by our constituents to personally present their thoughts to us.

In closing, I would like to quote a Democrat for whom I have the highest regard as an individual and a professional and who said in his congratulatory note to me: "The highest praise a man can receive is the accolade of his peers."

I intend to be worthy of the accolade you have bestowed on me this morning and to fulfill the responsibilities and trust incumbent upon me in this new position. With the assistance of each of you, we will make this Sixty-eighth General Assembly a memorable one.

PERMANENT CHIEF CLERK

Thompson of Polk moved that David L. Wray be made permanent Chief Clerk of the House.

The motion prevailed and David L. Wray was declared elected permanent Chief Clerk.

COMMITTEE TO NOTIFY THE GOVERNOR

Harbor of Mills moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication that he may desire to transmit.

The motion prevailed and the following committee was appointed: Harbor of Mills, Evans of Grundy and Wells of Linn.

COMMITTEE TO NOTIFY THE SENATE

Clark of Cerro Gordo moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication that it may desire to transmit.

The motion prevailed and the following committee was appointed: Clark of Cerro Gordo, Crawford of Story and Gettings of Wapello.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of the following resolution and moved, its adoption:

HOUSE CONCURRENT RESOLUTION 1

By Halvorson

- 1 *Be It Resolved by the House, the Senate Concurring,* That
- 2 a joint convention of the two houses of the Sixty-eighth
- 3 General Assembly be held on January 8, 1979, at 1:30 p.m.
- 4 *Be It Further Resolved,* That Governor Robert D. Ray be
- 5 invited to deliver his state of the state message at a
- 6 joint convention of the two houses of the General Assembly
- 7 on January 9, 1979, at 10:00 a.m. and that the President
- 8 of the Senate and the Speaker of the House be designated
- 9 to extend the invitation to him.
- 10 *Be It Further Resolved,* That at this joint convention

- 11 the votes for Governor and Lieutenant Governor be canvassed
- 12 and the results announced and recorded as provided by law.

The motion prevailed and the resolution was adopted.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Harbor of Mills, chair 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.

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY SENATE

Clark of Cerro Gordo, chair 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.

The report was accepted and the committee discharged.

ELECTION OF SPEAKER PRO TEMPORE

Smalley of Polk placed in nomination the Honorable William H. Harbor as candidate for Speaker pro tempore of the House of Representatives of the Sixty-eighth General Assembly, preceding his nomination with the following remarks:

Mr. Speaker, Members of the House:

I rise to place in nomination for Speaker pro tempore an individual with qualifications unparalleled to serve, a long-time state representative, two-time Speaker of the House, and a recognized scholar of the House Rules and Mason's Manual.

The Speaker pro tempore, as we know, takes the Chair and presides over the House in the necessary absence of the Speaker. He is an important member of the leadership.

This year, when efficiency, measured productivity, and timely adjournment are primary goals, we need the help of a person who in his last year as Speaker guided the House to a March adjournment.

Mr. Speaker, I nominate Representative William H. Harbor of Mills County for Speaker pro tempore of the Iowa House of Representatives.

Hoffmann of Muscatine seconded the nomination of Mr. Harbor as Speaker pro tempore of the House of Representatives, preceding his nomination with the following remarks:

"Mr. Speaker, I wish to second the nomination of William H. Harbor of Mills County to the office of Speaker pro tempore. All incumbents, and I feel sure most of the new legislators know of Bill's ability, talent and dedication. We are fortunate to have a man of Bill's expertise and more fortunate that he will share his knowledge with us. And so, I consider it an honor and privilege to second the nomination of William H. Harbor as Speaker pro tempore."

Husak of Tama seconded the nomination of Mr. Harbor, preceding his nomination with the following remarks:

Mr. Speaker, Ladies and Gentlemen:

It is my privilege to second the nomination of William H. Harbor as Speaker pro tempore of the House of Representatives.

We are here for the purpose of representing all the people of Iowa. One of the most valuable assets we gain during our service is the friends we make.

I can recall as a newly elected legislator the frustration and the uncertainties that I felt. This is what prompted me to confide in the then Speaker of the House, Mr. Harbor.

I think what impressed me most was at our first meeting, this veteran legislator, and no less the Speaker, said to me a member of the minority party, "Emil, come back anytime, the door is always open."

The same courtesy was extended by him as Chief Clerk.

Then after a brief vacation from the House of Representatives, Bill decided once again it was time to return to work. Those of us in the back row were honored when he joined us - even though on occasion we have to remind him 'today is your day to buy!'

We also have formed a committee to make sure he doesn't have any trouble getting his mike down. (But we are all neighbors, so why not be helpful.)

So, Mr. Speaker, Ladies and Gentleman, on behalf of the back row we invite all of you to get to know and open your door to Representative Bill Harbor.

He, indeed, is worthy of the title of Speaker pro tempore.

Mr. Speaker, I move that the Chief Clerk cast a unanimous ballot for the Honorable William H. Harbor of Mills as Speaker pro tempore of the House of Representatives for the Sixty-eighth General Assembly.

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable William H. Harbor as Speaker pro tempore of the House

of Representatives of the Sixty-eighth General Assembly. The Honorable William H. Harbor of Mills County, having received all of the votes cast for the office of Speaker pro tempore of the House of Representatives of the Sixty-eighth General Assembly, was declared duly elected to that office.

Schroeder of Pottawattamie moved that a committee of two be appointed to escort the Speaker pro tempore to the chair.

The motion prevailed and the following committee was appointed: Schroeder of Pottawattamie and Horn of Linn.

Mr. Harbor was escorted to the chair and, being duly sworn, offered the following remarks:

Mr. Speaker, and fellow colleagues, thank you for the honor you have just bestowed upon me, that of being named your Speaker pro tempore. I humbly accept this challenge and with this acceptance is an assurance that the responsibilities of this office will be met with candor and handled with dispatch.

Mr. Speaker, the campaign rhetoric has now been silenced, or at least it should be for two years, for we all must now assume the responsibilities for which we were elected....state representatives....with each of us bearing an equal share of the load.

Our accomplishments here will be judged as to whether we have heard the clear voice of the people or whether we choose to be governed by partisan politics....for if ever we will be watched and monitored, surely the time is now.

We have a golden opportunity to establish an enviable record, a record of positive responses to the needs and concerns of our constituents in the shortest possible time, and then adjourn and go home.

Mr. Speaker and fellow House members, you have my pledge of cooperation, communication and hard work in addressing ourselves to the mandate of the people of Iowa. Together, let us give our united pledge of working toward this end, with the guidance of almighty God, show that this confidence placed in us is well founded.

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.

ADOPTION OF HOUSE RESOLUTION 1

De Groot of Lyon asked and received unanimous consent for the immediate consideration of House Resolution 1 as follows and moved its adoption:

HOUSE RESOLUTION 1

By De Groot

- 1 *Be It Resolved by the House of Representatives,*
- 2 That a committee of one be appointed to arrange with
- 3 different ministers of the state for opening the
- 4 sessions with prayer.

The motion prevailed and the resolution was adopted.

The Speaker appointed as such committee De Groot of Lyon.

SPECIAL ORDER

Halvorson of Clayton moved that the assignment of seats to the members of the House be made a special order for this afternoon at 2:00 p.m.

The motion prevailed.

ADOPTION OF HOUSE RESOLUTION 2

Daggett of Taylor asked and received unanimous consent for the immediate consideration of House Resolution 2 as follows and moved its adoption:

HOUSE RESOLUTION 2

By Daggett

- 1 *Be It Resolved by the House of Representatives,*
- 2 That each member of the House shall be entitled to
- 3 select and appoint a clerk and such clerk may be
- 4 called upon to aid in the discharge of the clerical
- 5 work of the House of Representatives. Only expert
- 6 typists and stenographers will be considered
- 7 qualified. The Speaker and Chief Clerk shall
- 8 appoint their secretaries and pages to serve for
- 9 the session, and the Chief Clerk is hereby author-
- 10 ized to employ such additional clerical assistance
- 11 as his duties may require.

The motion prevailed and the resolution was adopted.

COMMITTEE ON MILEAGE

Conlon of Muscatine moved that a committee of three be appointed to determine the amount of mileage due each member and report the same to the House.

The motion prevailed and the following committee was appointed: Conlon of Muscatine, Hoffmann of Muscatine and Howell of Floyd.

On motion by Halvorson of Clayton the House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 1, by Crabb, Husak, Harbor, Miller, Schroeder, Hinkhouse, Stromer, Binneboese, Welden, Jay, Pellett, Bennett, Crawford, Daggett, Danker, Hansen of O'Brien, Menke, Tofte, West, Evans, Halvorson of Clayton, Lageschulte, Clark of Cerro Gordo, Conlon, Hoffmann, Krewson, Pelton, Schnekloth, Smalley, Thompson, Shimanek, Lind, Hibbs, Ritsema, Anderson of Audubon, Branstad, Corey, De Groot, Diemer, Holt, Hummel, Johnson of Howard, Johnson of Linn, Johnson of Woodbury, Kirkenlager, Larsen, Lorenzen, Lura, Maulsby, McKean, Shull, Swearingen, Tyrrell, Van Maanen, Wells, Hall, Perkins and Oxley, a joint resolution for the purpose of requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced.

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

House File 1, by Lind, a bill for an act exempting from property taxation the value added by improvements made to a homestead and providing a penalty.

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

House File 2, by Evans, a bill for an act increasing the maximum lending limit of a small loan company to two thousand dollars.

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

House File 3, by Brandt, a bill for an act authorizing county recorders to establish tract indexes.

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

House File 4, by Welden, a bill for an act providing for legislative disapproval of administrative rules upon the delay of a rule by the administrative rules review committee.

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

House File 5, by Lind, a bill for an act relating to prescription drug containers dispensed by pharmacists.

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

House File 6, by Brandt, a bill for an act to prohibit the use of pneumatic tires with inserted ice grips or tire studs.

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

House File 7, by Bina, a bill for an act prohibiting the suspension of licenses to operate motor vehicles for limited violations of certain speed limits.

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

House File 8, by Spear and Bina, a bill for an act relating to the requirements for a minimum program in art and music in grades nine through twelve.

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

House File 9, by Lind, a bill for an act relating to driver education instruction.

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

House File 10, by Evans, a bill for an act relating to furnishing prosthetic devices for injured workers.

Read first time and referred to committee on **labor and industrial relations**.

House File 11, by Crabb and Johnson of Woodbury, a bill for an act to provide a procedure for dissolution of certain drainage and levee districts and transfer of jurisdiction and control over the improvements and rights-of-way of a district so dissolved to another overlying district without reclassification of the latter district.

Read first time and referred to committee on **natural resources**.

House File 12, by Welden, a bill for an act relating to teaching of the free enterprise economic system in grades nine through twelve.

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

House File 13, by Krewson, West, Clark of Lee, Crawford, Pope, Evans, Thompson, Shull, Hanson of Delaware, Lura, Hoffmann, Johnson of Linn, Kirkenlager, Branstad, Lorenzen, Larsen, Harbor, Halvorson of Clayton, Hibbs, Poffenberger, Smalley, Bennett, Tofte, Menke, Shimanek, Pelton, Clark of Cerro Gordo, Stromer, Lind, Daggett, Crabb, Lageschulte, Welden, Diemer and Schneklath, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

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

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 on January 8, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, providing for a joint session of the two houses for the purpose of canvassing the votes for the election of the lieutenant governor and governor, and for the governor to deliver his state-of-the-state on Tuesday, January 9, 1979.

Also: That the Senate has on January 8, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 2, providing for a joint committee to arrange for the inauguration of the governor and lieutenant governor.

Also: That the Senate has on January 8, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 1, providing for the distribution of bills and journals to county auditors and members of the congressional delegation.

FRANK STORK, Secretary

SENATE CONCURRENT RESOLUTION 1

By Waldstein

- 1 *Be it Resolved by the Senate, the House Concurring,*
- 2 That the superintendent of printing be instructed to mail
- 3 to each county auditor in the state of Iowa who has not
- 4 waived the right of receipt, one copy of the daily corrected
- 5 senate and house journals, one copy of each senate and
- 6 house bill, one copy of each senate and house reprinted
- 7 bill, one copy of each senate and house enrolled bill,
- 8 and one copy of each senate and house clip sheet, for the
- 9 duration of the sixty-eighth general assembly, and that
- 10 the same be furnished to such officers free of charge,
- 11 to be paid for out of the general fund not otherwise
- 12 appropriated.
- 13 *Be It Further Resolved,* That the superintendent of
- 14 printing be instructed to mail to each member of Iowa's
- 15 congressional delegation who has not waived the right of
- 16 receipt, one copy of the daily corrected senate and house
- 17 journals, one copy of each senate and house bill, one copy
- 18 of each senate and house reprinted bill, one copy of each
- 19 senate and house enrolled bill, and one copy of each senate
- 20 and house clip sheet, for the duration of the sixty-eighth
- 21 general assembly, and that the same be furnished to such
- 22 officers free of charge, to be paid for out of the general
- 23 fund not otherwise appropriated.
- 24 *Be It Further Resolved,* That the superintendent of
- 25 printing make such mailings at least once weekly.

Laid over under Rule 25.

EMPLOYEES OF THE HOUSE

Daggett of Taylor moved that the following named persons be elected as employees of the House:

- William B. Welden—Legal Counsel
- Elizabeth J. O'Connor—Assistant Legal Counsel
- Janet S. Clayton—Executive Secretary to Speaker
- Maryjo F. Welch—Leader's Administrative Assistant

Michael McVey—Leader's Administrative Assistant
Mark Brandsgard—Leader's Administrative Assistant
D. Joanne Brownell—Clerk/Majority Leader
Paula Feltner—Caucus Staff Director
Tim Hyde—Research Analyst
M. L. Triggs—Research Analyst
Barbara Winters—Research Analyst
Ronda Roberts—Research Analyst
Rand Fisher—Research Analyst
Benjamin S. Webb—Research Analyst
Sandra L. Githens—Research Analyst
Judith M. Johnson—Clerk/Caucus Staff
Joseph J. O'Hern—Caucus Staff Director
Bradley Kading—Research Analyst
William C. Maloney—Research Analyst
Linda J. King—Research Analyst
Merlie Howell—Research Analyst
Richard Norland—Research Analyst
N. Kay Markell—Clerk/Caucus Staff
Roberta Chapman—Executive Secretary to Chief Clerk
J. Jeanne Coughlan—Clerk to Chief Clerk
Patricia A. Barry—Public Information Office Director
Steven M. Tracy—Assistant to Public Information Office Director
Colleen Dillon—Supervisor of Clerks
Elizabeth A. Isaacson—Journal Editor
Vivian Anders—Assistant Journal Editor
Billie Jean Walling—Finance Clerk
Debra K. Rex—Assistant Finance Clerk
Alyce M. Elmitt—Recording Clerk
Pauline E. Kephart—Assistant to the Legal Counsel and Engrossing/Enrolling Clerk
M. Maxine Mann—Assistant to the Legal Counsel
Juanita F. Swackhammer—Chief Indexer
Wilma F. Zika—Indexing Assistant
Carol S. Edwards—Compositor
C. Elaine Schoonover—Compositor
Ann A. McCarty—Supply Clerk
Alta Overton—Swing Clerk
Rosemary Massman—Switchboard Operator
Beverly Baker—Switchboard Operator
Phyllis J. Fraizer—Bill Clerk
Madeline E. James—Assistant Bill Clerk
Mildred M. Weber—Postmaster
Donald R. Emanuel—Sergeant-at-Arms
Frank Christen—Assistant Sergeant-at-Arms
Gus Adamson—Doorkeeper
Luman Bell—Doorkeeper
Carman Breeding—Doorkeeper
Thomas W. Marmion—Doorkeeper
Harold Missman—Doorkeeper
John Russell—Doorkeeper
Evelyn Seaney—Elevator Operator

Joyce S. Lohn—Aide to Public Information Office
Howard Girovich—Aide to Public Information Office
Barbara G. Sink—Aide to Public Information Office
Ann Molis—Speaker's Page
Judy M. Benstine—Chief Clerk's Page
Shelley D. Brauns—Page
Patricia L. Chalupsky—Page
Ann M. Coleman—Page
Marjene E. Connors—Page
Pamela L. Drennen—Page
Marilyn R. Drury—Page
Vonna J. Gochenour—Page
Laura A. Hansen—Page
Tammy A. Hendrickson—Page
Anders L. Johnson—Page
Sharon A. Johnson—Page
Lori A. Lewis—Page
Teresa K. Logemann—Page
Diane J. Mehlhaus—Page
Christopher S. Parmley—Page
Carla J. Perkins—Page
Dawn R. Swink—Page
Warren A. Varley—Page
Dale A. Young—Page

The motion prevailed.

COMMITTEE TO NOTIFY THE SENATE

Tofte of Winneshiek 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: Tofte of Winneshiek, Lageschulte of Bremer and Hinkhouse of Cedar.

PRESENTATION OF 1979 IOWA HEART PRINCESS

Speaker Millen presented Cochran of Webster who introduced to the House Amy Lee of Humboldt, Iowa, the 1979 Iowa Heart Princess. Amy, who is eight years old, will be the inspirational leader for the more than 40,000 Heart Fund volunteers this year. She had heart surgery at University Hospitals in Iowa City in 1976 and is now the picture of health. She was accompanied by her parents, Mr. and Mrs. Bob Lee, and her sister, Janet.

The House responded with a warm welcome for Amy.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Tofte of Winneshiek, chair 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 duties.

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 in the House chamber.

JOINT CONVENTION

In accordance with law and the concurrent resolution duly adopted, the joint convention was called to order, President Neu presiding.

Senator Hultman 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 Neu announced a quorum present and the joint convention duly organized.

Senator Hultman moved that the joint convention recess until 10:00 a.m., Tuesday, January 9, 1979.

The motion prevailed and the joint convention was recessed.

The House reconvened, Speaker Millen in the chair.

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 2 and moved its adoption:

SENATE CONCURRENT RESOLUTION 2

By Yenger

- 1 *Be It Resolved by the Senate, the House Concurring,*
 2 That a joint committee be designated, consisting of six
 3 members of the senate to be appointed by the president
 4 of the senate, and six members of the house to be ap-
 5 pointed by the speaker of the house of representatives,
 6 to arrange for the inauguration of the governor and the
 7 lieutenant governor.

The motion prevailed and the resolution was adopted.

INAUGURAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following members of the inaugural committee on the part of the House: Cochran of Webster, Davitt of Warren, Lind of Black Hawk, Schnekloth of Scott, Stromer of Hancock and Tofte of Winneshiek.

SPECIAL ORDER

The hour for the special order having arrived, the members were requested to vacate their seats.

The drawing of seats was as follows:

1. Speaker of the House Millen—floor seat.
2. Speaker Pro Tempore Harbor
3. Majority Floor Leader Halvorson
4. Minority Floor Leader Avenson
5. Assistant Floor Leaders—
6. Members with defective sight, hearing and physical disability.
7. Drawing by seniority:
 - a. Former Speaker
 - b. Returning members, by seniority
 - c. New members

The drawing of seats proceeded with the following results:

Name	Seat No.	Name	Seat No.
James O. Anderson	41	Donald H. Binneboese	78
Robert T. Anderson	87	Diane Brandt	81
Robert C. Arnould	38	Clifford Branstad	27
Donald D. Avenson	99	Charles H. Bruner	11
Wayne Bennett	45	Richard L. Byerly	62
Robert F. Bina	28	Ned F. Chiodo	58

Betty Jean Clark	13	Ray Lageschulte	31
John H. Clark	95	Sonja Larsen	22
Dale M. Cochran	91	Thomas A. Lind	26
Walter Conlon	24	Jean Lloyd-Jones	40
Michael W. Connolly	74	Joyce Lonergan	86
John H. Connors	84	James A. Lorenzen	29
Virgil E. Corey	55	Mick Lura	16
Frank Crabb	88	Ruhl Maulsby	75
Reid W. Crawford	67	Andrew McKean	19
Gregory D. Cusack	68	Lester D. Menke	1
Horace Daggett	48	Floyd H. Millen	14
Arlyn E. Danker	92	Kenneth D. Miller	70
Philip A. Davitt	63	Sue Mullins	15
Kenneth De Groot	3	Lowell E. Norland	69
Wm. W. Dieleman	25	Jim O'Kane	37
Marvin E. Diemer	35	Myron B. Oxley	73
Donald V. Doyle	89	John E. Patchett	34
Sonja Egenes	97	Emil S. Pavich	96
Cooper Evans	12	Wendell C. Pellett	33
Donald Gettings	32	John Pelton	47
Richard Groth	39	Carroll T. Perkins	79
Hurley W. Hall	17	Virginia Poffenberger	7
Rod N. Halvorson	20	Lawrence Pope	9
Roger A. Halvorson	100	Stephen J. Rapp	71
Ingwer L. Hansen	83	Doug Ritsema	51
Darrell R. Hanson	18	Hugo Schnekloth	23
William H. Harbor	94	Laverne W. Schroeder	65
Dale W. Hibbs	5	Richard Sherzan	6
Herbert C. Hinkhouse	80	Nancy J. Shimanek	49
Betty A. Hoffmann	44	Doug Shull	52
Lee Holt	57	Douglas R. Smalley	8
Wally E. Horn	64	Clay Spear	53
Rollin K. Howell	43	Delwyn Stromer	61
Arlo Hullinger	93	George R. Swearingen	56
Kyle Hummel	72	Patricia L. Thompson	66
Emil J. Husak	90	Semor C. Tofte	59
Daniel Jay	54	Phillip E. Tyrrell	4
Norman G. Jesse	82	Harold Van Maanen	50
Thomas J. Jochum	36	Craig D. Walter	30
Jim Johnson	10	Richard W. Welden	85
Robert M. L. Johnson	77	James D. Wells	98
Warren Johnson	21	Joe Welsh	76
Larry Kirkenlager	42	James C. West	46
Lyle R. Krewson	2	Jack E. Woods	60

Halvorson of Clayton moved that the assignment of seats be accepted as listed.

The motion prevailed.

ADOPTION OF TEMPORARY RULES OF THE HOUSE

Halvorson of Clayton moved that the temporary rules of the House of the Sixty-seventh General Assembly be the temporary rules of the Sixty-eighth General Assembly.

The motion prevailed.

STANDING COMMITTEES APPOINTED

The Speaker announced the following appointments to the standing committees of the House:

AGRICULTURE — 21 Members

Pellett, Chair	Byerly	Davitt	Mullins
Hummel*	Chiodo	De Groot	Schroeder
Hinkhouse**	Cochran	Halvorson, R.N.	Sherzan
Anderson, J.	Corey	Harbor	Tyrrell
Anderson, R.	Crabb	Husak	Van Maanen
Bennett			

APPROPRIATIONS — 13 Members

Welden, Chair	Byerly	Hansen, I.	Miller
Evans*	Crawford	Harbor	Stromer
Cusack**	Halvorson, R.A.	Jesse	West
Anderson, R.			

CITIES — 23 Members

Krewson, Chair	Crabb	Hanson, D.	Poffenberger
Johnson, R.*	Danker	Larsen	Spear
Bina**	Diemer	Lind	Tyrrell
Brandt	Groth	Lorenzen	Wells
Clark, J.H.	Hall	O'Kane	West
Connors	Halvorson, R.N.	Pavich	

COMMERCE — 21 Members

Schroeder, Chair	Dieleman	Jochum	Ritsema
Conlon*	Egenes	Johnson, R.	Shull
Chiodo**	Evans	Peltón	Swearingen
Bina	Hibbs	Pope	Walter
Bruner	Jesse	Rapp	Woods
Crabb			

*Vice Chair

**Ranking Member

COUNTY GOVERNMENT — 23 Members

Danker, Chair	Connolly	Hullinger	Shull
Clark, J.H.*	Dieleman	Johnson, J.	Smalley
Binneboese**	Doyle	Johnson, R.	Swearingen
Branstad	Gettings	Lageschulte	Tofte
Bruner	Hanson, D.	Oxley	Welsh
Clark, B.J.	Howell	Schnekloth	

EDUCATION — 23 Members

Stromer, Chair	Groth	Larsen	Norland
Thompson*	Hansen, I.	Loneragan	Patchett
Horn**	Jay	Lura	Perkins
Crawford	Johnson, W.	Maulsby	Spear
Daggett	Krewson	Menke	Wells
Diemer			

ENERGY — 23 Members

Evans, Chair	Danker	McKean	Rapp
Pelton*	De Groot	Mullins	Ritsema
Howell**	Doyle	O'Kane	Sherzan
Binneboese	Hullinger	Pellett	Smalley
Bruner	Krewson	Perkins	Van Maanen
Cusack	Lind	Poffenberger	

HOUSE ADMINISTRATION — 10 Members

Daggett, Chair	Connors	Johnson, J.	Thompson
Wells**	Doyle	Perkins	Tofte
Bennett	Hoffmann		

HUMAN RESOURCES — 21 Members

Clark, B.J., Chair	Cusack	Husak	Miller
Mullins*	Daggett	Kirkenslager	Poffenberger
Loneragan**	De Groot	Krewson	Sherzan
Arnould	Hoffmann	Lind	Shimanek
Bennett	Horn	Maulsby	Spear
Connors			

JUDICIARY AND LAW ENFORCEMENT — 21 Members

Shimanek, Chair	Conlon	Jesse	Pelton
Ritsema*	Corey	Johnson, J.	Rapp
Patchett**	Doyle	Lloyd-Jones	Smalley
Anderson, J.	Hibbs	Loneragan	Walter
Arnould	Holt	Maulsby	Welsh
Clark, B.J.			

*Vice Chair

**Ranking Member

LABOR AND INDUSTRIAL RELATIONS - 20 Members

Crabb, Chair	Connolly	Horn	Pavich
Pope*	Corey	Jochum	Thompson
Connors**	Egenes	Kirkenslager	Tofte
Byerly	Gettings	Lorenzen	Welden
Conlon	Holt	Menke	Wells

NATURAL RESOURCES - 21 Members

Smalley, Chair	Hall	Larsen	Pellett
Holt*	Hummel	Lloyd-Jones	Tofte
Perkins**	Jay	McKean	Tyrrell
Byerly	Johnson, J.	Menke	Van Maanen
Cochran	Johnson, W.	O'Kane	Welsh
Groth			

RULES - 15 Members

Harbor, Chair	Conlon	Maulsby	Schroeder
Halvorson, R.A.*	Crabb	Menke	West
Byerly**	Husak	Patchett	Woods
Avenson	Lonergan	Pope	

STATE GOVERNMENT - 21 Members

Crawford, Chair	Branstad	Hoffmann	Shimanek
Hibbs*	Dieleman	Johnson, W.	Stromer
Brandt**	Halvorson, R.N.	Lageschulte	Swearingen
Anderson, J.	Hansen, I.	Lloyd-Jones	Walter
Arnould	Hinkhouse	Lura	Woods
Bina			

TRANSPORTATION - 21 Members

Egenes, Chair	Davitt	Jay	Oxley
Kirkenslager*	Gettings	Lageschulte	Pellett
Woods**	Hinkhouse	McKean	Schneklath
Bennett	Hoffmann	Menke	Schroeder
Binneboese	Hullinger	Miller	Tofte
Daggett			

WAYS AND MEANS - 31 Members

West, Chair	Brandt	Conlon	Evans
Schneklath*	Branstad	Connolly	Hall
Norland**	Chiodo	Daggett	Hanson, D.
Anderson, R.	Clark, J.H.	Davitt	Harbor
Bennett	Cochran	Diemer	Howell

*Vice Chair

**Ranking Member

Hummel	Lageschulte	Oxley	Shull
Husak	Lorenzen	Pavich	Thompson
Jochum	Lura	Pope	

HOUSE APPROPRIATIONS SUBCOMMITTEES

EDUCATION — 12 Members

Menke, Chair	Connolly	Patchett	Swearingen
Lind*	Davitt	Ritsema	Thompson
Cochran**	Horn	Stromer	Tyrrell

HUMAN RESOURCES — 12 Members

Bennett, Chair	Branstad	Krewson	Rapp
Lura*	Crawford	Loneragan	Schneklath
Husak**	Hummel	Norland	Spear

NATURAL RESOURCES — 12 Members

Tofte, Chair	Hall	Kirkenslager	Shimaneck
Larsen*	Hanson, D.	Pellett	Smalley
Hullinger**	Howell	Perkins	Woods

REGULATORY AND FINANCE — 14 Members

Pelton, Chair	Conlon	Doyle	Jay
Anderson, J.*	Connors	Evans	Johnson, W.
Walter**	Corey	Gettings	Shull
Chiodo	Diemer		

SOCIAL SERVICES — 12 Members

Daggett, Chair	Brandt	De Groot	Holt
McKean*	Bruner	Halvorson, R.N.	Lloyd-Jones
Jochum**	Clark, B.J.	Hansen, I.	Van Maanen

STATE DEPARTMENTS — 14 Members

Lageschulte, Chair	Crabb	Johnson, J.	Sherzan
Lorenzen*	Danker	Mullins	Wells
Dieleman**	Groth	Pope	Welsh
Arnould	Hibbs		

TRANSPORTATION — 14 Members

Hoffmann, Chair	Binneboese	Hinkhouse	O'Kane
Poffenberger*	Clark, J.H.	Johnson, R.	Oxley
Pavich**	Egenes	Maulsby	Schroeder
Bina	Harbor		

*Vice Chair

**Ranking Member

HOUSE COMMITTEE ASSIGNMENTS

<u>Anderson, James</u>	Agriculture Judiciary and Law Enforcement State Government Regulatory and Finance Appropriation Subcommittee, Vice-Chair
Anderson, Robert	Agriculture Appropriations Ways and Means
Arnould, Robert	Human Resources Judiciary and Law Enforcement State Government State Departments Appropriation Subcommittee Ethics, Ranking Member
Avenson, Donald	Rules
Bennett, Wayne	Agriculture Human Resources Transportation Ways and Means Human Resources Appropriations Subcommittee, Chair House Administration
Bina, Robert	Cities, Ranking Member Commerce State Government Transportation Appropriations Subcommittee
Binneboese, Donald	County Government, Ranking Member Energy Transportation Transportation Appropriations Subcommittee
Brandt, Diane	Cities State Government, Ranking Member Ways and Means Social Services Appropriations Subcommittee
Branstad, Clifford	County Government State Government Ways and Means Human Resources Appropriations Subcommittee

Bruner, Charles	Commerce County Government Energy Social Services Appropriations Subcommittee
Byerly, Richard	Agriculture Appropriations Labor and Industrial Relations Natural Resources Rules, Ranking Member
Chiodo, Ned	Agriculture Commerce, Ranking Member Ways and Means Regulatory and Finance Appropriations Subcommittee
Clark, Betty Jean	County Government Human Resources, Chair Judiciary and Law Enforcement Social Services Appropriations Subcommittee
Clark, John	Cities County Government, Vice-Chair Ways and Means Transportation Appropriations Subcommittee
Cochran, Dale	Agriculture Natural Resources Ways and Means Education Appropriations Subcommittee, Ranking Member
Conlon, Walter	Commerce, Vice-Chair Judiciary and Law Enforcement Labor and Industrial Relations Ways and Means Regulatory and Finance Appropriations Subcommittee Rules
Connolly, Michael	County Government Labor and Industrial Relations Ways and Means Education Appropriations Subcommittee
Connors, John	Cities Human Resources Labor and Industrial Relations, Ranking Member Regulatory and Finance Appropriations Subcommittee House Administration

Corey, Virgil	Agriculture Judiciary and Law Enforcement Labor and Industrial Relations Regulatory and Finance Appropriations Subcommittee
Crabb, Frank	Agriculture Cities Commerce Labor and Industrial Relations, Chair State Departments Appropriations Subcommittee Rules
Crawford, Reid	Appropriations Education State Government, Chair Human Resources Appropriations, Subcommittee
Cusack, Gregory	Appropriations, Ranking Member Energy Human Resources
Daggett, Horace	Education Human Resources Transportation Ways and Means Social Services Appropriations Subcommittee, Chair House Administration, Chair
Danker, Arlyn	Cities County Government, Chair Energy State Departments Appropriations Subcommittee
Davitt, Philip	Agriculture Transportation Ways and Means Education Appropriations Subcommittee
De Groot, Kenneth	Agriculture Energy Human Resources Social Services Appropriations Subcommittee

Dieleman, William	Commerce County Government State Government State Departments Appropriations Subcommittee, Ranking Member
Diemer, Marvin	Cities Education Ways and Means Regulatory and Finance Appropriations Subcommittee
Doyle, Donald	County Government Energy Judiciary and Law Enforcement Regulatory and Finance Appropriations Subcommittee House Administration
Egenes, Sonja	Commerce Labor and Industrial Relations Transportation, Chair Transportation Appropriations Subcommittee
Evans, Cooper	Appropriations, Vice-Chair Commerce Energy, Chair Ways and Means Regulatory and Finance Appropriations Subcommittee
Gettings, Donald	County Government Labor and Industrial Relations Transportation Regulatory and Finance Appropriations Subcommittee
Groth, Richard	Cities Education Natural Resources State Departments Appropriations Subcommittee
Hall, Hurley	Cities Natural Resources Ways and Means Natural Resources Appropriations Subcommittee

Halvorson, Rod	Agriculture Cities State Government Social Services Appropriations Subcommittee
Halvorson, Roger	Appropriations Rules, Vice-Chair
Hansen, Ingwer	Appropriations Education State Government Social Services Appropriations Subcommittee Ethics
Hanson, Darrell	Cities County Government Ways and Means Natural Resources Appropriations Subcommittee
Harbor, William	Agriculture Appropriations Ways and Means Transportation Appropriations Subcommittee Rules, Chair
Hibbs, Dale	Commerce Judiciary and Law Enforcement State Government, Vice-Chair State Departments Appropriations Subcommittee
Hinkhouse, Herbert	Agriculture, Ranking Member State Government Transportation Transportation Appropriations Subcommittee
Hoffmann, Betty	Human Resources State Government Transportation Transportation Appropriations Subcommittee, Chair House Administration
Holt, Lee	Judiciary and Law Enforcement Labor and Industrial Relations Natural Resources, Vice-Chair Social Services Appropriations Subcommittee

Horn, Wally	Education, Ranking Member Human Resources Labor and Industrial Relations Education Appropriations Subcommittee
Howell, Rollin	County Government Energy, Ranking Member Ways and Means Natural Resources Appropriations Subcommittee Ethics
Hullinger, Arlo	County Government Energy Transportation Natural Resources Appropriations Subcommittee, Ranking Member
Hummel, Kyle	Agriculture, Vice-Chair Natural Resources Ways and Means Human Resources Appropriations Subcommittee
Husak, Emil	Agriculture Human Resources Ways and Means Human Resources Appropriations Subcommittee, Ranking Member Rules
Jay, Daniel	Education Natural Resources Transportation Regulatory and Finance Appropriations Subcommittee
Jesse, Norman	Appropriations Commerce Judiciary and Law Enforcement
Jochum, Thomas	Commerce Labor and Industrial Relations Ways and Means Social Services Appropriations Subcommittee, Ranking Member
Johnson, James	County Government Judiciary and Law Enforcement Natural Resources State Departments Appropriations Subcommittee House Administration

Johnson, Robert M. L.	Cities, Vice Chair Commerce County Government Transportation Appropriations Subcommittee
Johnson, Warren	Education Natural Resources State Government Regulatory and Finance Appropriations Subcommittee
Kirkenslager, Larry	Human Resources Labor and Industrial Relations Transportation, Vice-Chair Natural Resources Appropriations Subcommittee
Krewson, Lyle	Cities, Chair Education Energy Human Resources Human Resources Appropriations Subcommittee
Lageschulte, Ray	County Government State Government Transportation Ways and Means State Departments Appropriations Subcommittee, Chair
Larsen, Sonja	Cities Education Natural Resources Natural Resources Appropriations Subcommittee, Vice-Chair
Lind, Thomas	Cities Energy Human Resources Education Appropriations Subcommittee, Vice-Chair Ethics, Chair
Lloyd-Jones, Jean	Judiciary and Law Enforcement Natural Resources State Government Social Services Appropriations Subcommittee

Lonergan, Joyce	Education Human Resources, Ranking Member Judiciary and Law Enforcement Human Resources Appropriations Subcommittee Rules
Lorenzen, James	Cities Labor and Industrial Relations Ways and Means State Departments Appropriations Subcommittee, Vice-Chair
Lura, Mick	Education State Government Ways and Means Human Resources Appropriations Subcommittee, Vice-Chair
Maulsby, Ruhl	Education Human Resources Judiciary and Law Enforcement Transportation Appropriations Subcommittee Rules
McKean, Andy	Energy Natural Resources Transportation Social Services Appropriations Subcommittee, Vice-Chair
Menke, Lester	Education Labor and Industrial Relations Natural Resources Transportation Education Appropriations Subcommittee, Chair Rules
Miller, Kenneth	Appropriations Human Resources Transportation
Mullins, Sue	Agriculture Energy Human Resources, Vice-Chair State Departments Appropriations Subcommittee
Norland, Lowell	Education Ways and Means, Ranking Member Human Resources Appropriations Subcommittee

O'Kane, Jim	Cities Energy Natural Resources Transportation Appropriations Subcommittee
Oxley, Myron	County Government Transportation Ways and Means Transportation Appropriations Subcommittee
Patchett, John	Education Judiciary and Law Enforcement, Ranking Member Education Appropriations Subcommittee Rules
Pavich, Emil	Cities Labor and Industrial Relations Ways and Means Transportation Appropriations Subcommittee, Ranking Member
Pellett, Wendell	Agriculture, Chair Energy Natural Resources Transportation Natural Resources Appropriations Subcommittee
Pelton, John	Commerce Energy, Vice-Chair Judiciary and Law Enforcement Regulatory and Finance Appropriations Subcommittee, Chair
Perkins, Carroll	Education Energy Natural Resources, Ranking Member Natural Resources Appropriations Subcommittee House Administration
Poffenberger, Virginia	Cities Energy Human Resources Transportation Appropriations Subcommittee, Vice-Chair Ethics

Pope, Lawrence	Commerce Labor and Industrial Relations, Vice-Chair Ways and Means State Departments Appropriations Subcommittee Rules
Rapp, Stephen	Commerce Energy Judiciary and Law Enforcement Human Resources Appropriations Subcommittee
Ritsema, Doug	Commerce Energy Judiciary and Law Enforcement, Vice-Chair Education Appropriations Subcommittee
Schnekloth, Hugo	County Government Transportation Ways and Means, Vice-Chair Human Resources Appropriations Subcommittee
Schroeder, Laverne	Agriculture Commerce, Chair Transportation Transportation Appropriations Subcommittee Rules
Sherzan, Richard	Agriculture Energy Human Resources State Departments Appropriations Subcommittee
Shimanek, Nancy	Human Resources Judiciary and Law Enforcement, Chair State Government Natural Resources Appropriations Subcommittee
Shull, Doug	Commerce County Government Ways and Means Regulatory and Finance Appropriations Subcommittee

Smalley, Douglas	County Government Energy Judiciary and Law Enforcement Natural Resources, Chair Natural Resources Appropriations Subcommittee
Spear, Clay	Cities Education Human Resources Human Resources Appropriations Subcommittee
Stromer, Delwyn	Appropriations Education, Chair State Government Education Appropriations Subcommittee
Swearingen, George	Commerce County Government State Government Education Appropriations Subcommittee
Thompson, Patricia	Education, Vice-Chair Labor and Industrial Relations Ways and Means Education Appropriations Subcommittee House Administration
Tofte, Semor	County Government Labor and Industrial Relations Natural Resources Transportation Natural Resources Appropriations Subcommittee, Chair House Administration
Tyrrell, Phillip	Agriculture Cities Natural Resources Education Appropriations Subcommittee
Van Maanen, Harold	Agriculture Energy Natural Resources Social Services Appropriations Subcommittee
Walter, Craig	Commerce Judiciary and Law Enforcement State Government Regulatory and Finance Appropriations Subcommittee, Ranking Member

Welden, Richard	Appropriations, Chair Labor and Industrial Relations
Wells, James	Cities Education Labor and Industrial Relations State Departments Appropriations Subcommittee House Administration, Ranking Member
Welsh, Joe	County Government Judiciary and Law Enforcement Natural Resources State Departments Appropriations Subcommittee
West, James	Appropriations Cities Ways and Means, Chair Rules
Woods, Jack	Commerce State Government Transportation, Ranking Member Natural Resources Appropriations Subcommittee 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
James O. Anderson	160
Robert T. Anderson	70
Robert C. Arnould	360
Donald D. Avenson	320
Wayne Bennett	300
Robert F. Bina	360
Donald H. Binneboese	460
Diane Brandt	222
Clifford Branstad	260
Charles H. Bruner	70
Richard L. Byerly	25
Ned F. Chiodo	None
Betty Jean Clark	228
John H. Clark	370
Dale M. Cochran	200

Walter Conlon	300
Michael W. Connolly	400
John H. Connors	None
Virgil E. Corey	298
Frank Crabb	250
Reid W. Crawford	77
Gregory D. Cusack	360
Horace Daggett	206
Arlyn E. Danker	240
Philip A. Davitt	52
Kenneth De Groot	508
Wm. W. Dieleman	92
Maryin E. Diemer	220
Donald V. Doyle	426
Sonja Egenes	96
Cooper Evans	164
Donald Gettings	190
Richard Groth	298
Hurley W. Hall	272
Rod N. Halvorson	180
Roger A. Halvorson	440
Ingwer L. Hansen	420
Darrell R. Hanson	355.6
William H. Harbor	258
Dale W. Hibbs	244
Herbert C. Hinkhouse	260
Betty A. Hoffmann	306
Lee Holt	380
Wally E. Horn	250
Rollin K. Howell	258
Arlo Hullinger	154
Kyle Hummel	250
Emil J. Husak	150
Daniel Jay	190
Norman G. Jesse	None
Thomas J. Jochum	410
Jim Johnson	320
Robert M. L. Johnson	274
Warren Johnson	360
Larry Kirkenlager	328
Lyle R. Krewson	None
Ray Lageschulte	294
Sonja Larsen	202
Thomas A. Lind	280
Jean Lloyd-Jones	220
Joyce Lonergan	100
James A. Lorenzen	340
Mick Lura	122
Ruhl Maulsby	236
Andrew McKean	320
Lester D. Menke	392

Floyd H. Millen	300
Kenneth D. Miller	288
Sue Mullins	240
Lowell E. Norland	274
Jim O'Kane	422
Myron B. Oxley	274
John E. Patchett	240
Emil S. Pavich	280
Wendell C. Pellett	166
John Pelton	416
Carroll T. Perkins	140
Virginia Poffenberger	80
Lawrence Pope	None
Stephen J. Rapp	224
Doug Ritsema	460
Hugo Schneklath	360
Laverne W. Schroeder	268
Richard Sherzan	22
Nancy J. Shimanek	340
Doug Shull	34
Douglas R. Smalley	None
Clay Spear	330
Delwyn Stromer	226
George R. Swearingen	172
Patricia L. Thompson	None
Semor C. Tofte	420
Phillip E. Tyrrell	200
Harold Van Maanen	116
Craig D. Walter	280
Richard W. Welden	144
James D. Wells	250
Joe Welsh	400
James C. West	110
Jack E. Woods	None

Respectfully submitted,

WALTER CONLON
BETTY A. HOFFMANN
ROLLIN K. HOWELL

Report adopted.

APPOINTMENT OF MEMBERS OF THE ETHICS COMMITTEE
IN THE HOUSE OF REPRESENTATIVES OF THE
IOWA GENERAL ASSEMBLY BY THE CHIEF JUSTICE
OF THE IOWA SUPREME COURT

To the House of Representatives of the Iowa General Assembly:

Pursuant to the provisions of section 68B.10, Code 1977, the undersigned, Chief Justice of the Iowa Supreme Court, hereby reappoints Claire F. Carlson of Fort Dodge, and Robert E. Conley, of Des Moines, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the House of Representatives.

Done this 5th day of January, 1979.

W.W. REYNOLDSON, Chief Justice
Iowa Supreme Court

The original and a true copy of this Order have been filed with the Chief Clerk of the House of Representatives of the Iowa General Assembly on this 5th day of January, 1979.

DAVID L. WRAY, Chief Clerk

APPOINTMENT TO HOUSE ETHICS COMMITTEE

Pursuant to chapter 68B.10, Code of Iowa, I hereby appoint the following members to serve on the House Ethics Committee for the Sixty-eighth General Assembly: Representative Thomas Lind of Black Hawk, Chair; Representative Ingwer Hansen of O'Brien; and Representative Virginia Poffenberger of Dallas.

ROGER A. HALVORSON
House Majority Leader

APPOINTMENT TO HOUSE ETHICS COMMITTEE

Pursuant to chapter 68B.10, Code of Iowa, I hereby appoint the following members to serve on the House Ethics Committee for the Sixty-eighth General Assembly: Representative Robert C. Arnould of Scott and Representative Rollin K. Howell of Floyd.

DONALD D. AVENSON
House Minority Leader

COMMUNICATIONS

The following communications were received and are on file in the office of the Chief Clerk:

DEPARTMENT OF JUSTICE

A report of the Prosecutor Internship Program by the Drake University Law School and the University of Iowa Law Schools pursuant to Chapter 39, Code of Iowa.

An Attorney General's Report on the Iowa Consumer Credit Code pursuant to Section 537.6104 (5), Code of Iowa.

DEPARTMENT OF PUBLIC INSTRUCTION

The report of the special education evaluation of Area Education Agency #6 pursuant to Chapter 281.9 (6), Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

A series of reports from the Iowa Department of Public Safety pursuant to Section 692.15, Code of Iowa.

A report and recommendations to the 1979 Session of the Sixty-eighth General Assembly, pursuant to Section 257.10 (9), Code of Iowa.

TREASURER OF STATE

The Biennial Report for the Biennium ending July 30, 1978 pursuant to Chapters 12.17, 17.3 and 258.12, Code of Iowa.

INDUSTRIAL COMMISSIONER

The Thirty-third Biennial Report of the Iowa Industrial Commissioner through June 30, 1977, pursuant to Section 86.9, Code of Iowa.

REPORTS OF GOVERNMENT OPERATIONS COMMITTEE REGARDING IOWA NATIONAL GUARD

There is on file in the office of the Chief Clerk a report of findings of fact, conclusions, recommendations and report of committee activity in the matter of the Iowa National Guard before the Government Operations Committee of the Iowa House of Representatives submitted by Representative Douglas R. Smalley.

There is on file in the office of the Chief Clerk a report from the Government Operations Committee of the Iowa House of Representatives. This report includes House Resolution 147, a list of witnesses appearing before the Government Operations Committee

of the Iowa House of Representatives, related non-statutory recommendations and statutory recommendations. This report was submitted January 8, 1979 by Representative Norman Jesse, Vice-chair of the Government Operations Committee.

On motion by Halvorson of Clayton the House adjourned at 3:22 p.m., until 9:30 a.m., Tuesday, January 9, 1979.

JOURNAL OF THE HOUSE

Second Calendar Day — Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 9, 1979

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

Prayer was offered by the Reverend Perry De Groot, pastor of the Newton Zion Reformed Church; Erie, Illinois. Reverend De Groot is the son of Representative De Groot of Lyon County.

The Journal of Monday, January 8, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. V. L. Schlaser, Des Moines, Iowa.

PETITION FILED

The following petition was received and placed on file:

By Lura of Marshall from sixty-three credit union members favoring share drafts.

INTRODUCTION OF BILLS

House File 14, by Welden, a bill for an act making changes in the state income tax to reflect some of the effects on the tax of inflation, making the Act retroactive and providing a penalty.

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

House File 15, by Brandt and Miller, a bill for an act to change the basis on which the semi-annual tax on mobile homes is computed.

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

House File 16, by Welden, a bill for an act relating to borrow pits.

Read first time and referred to committee on **natural resources**.

House File 17, by Schnekloth, a bill for an act relating to attorney fees.

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

House File 18, by Evans, a bill for an act relating to the collection and distribution of state publications by the depository library center within the Iowa library department.

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

House File 19, by Schnekloth, a bill for an act to require that polling places for all elections conducted under chapter forty-nine (49) of the Code be closed at eight o'clock p.m.

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

House File 20, by Evans, a bill for an act exempting coal mined in Iowa and held as inventory by an electric utility from property taxation.

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

House File 21, by Thompson, a bill for an act to exempt interest and dividend income from securities of the state and its political subdivisions from the state individual income tax.

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

House File 22, by Evans, a bill for an act relating to cost-sharing funds for mandated soil conservation projects.

Read first time and referred to committee on **natural resources**.

House File 23, by committee on rules, a bill for an act regarding the frequency of salary and expenses payments to members, officers, and employees of the general assembly.

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

COMMITTEE TO NOTIFY THE SENATE

Menke of O'Brien 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 Menke of O'Brien, Norland of Worth and Pellett of Cass.

SPECIAL MUSICAL PRESENTATION

Speaker Millen introduced Jack Olds, Executive Director of the Iowa Arts Council, who presented Wilfred Biel, violinist, and John Ehrlich, cellist, who entertained with excerpts from Kodaly's "Sonata Duo For Violin and Cello."

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Menke of O'Brien, Chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that it 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 Lieutenant Governor-elect, the Secretary of the Senate and the honorable body of the Senate.

The President and Lieutenant Governor-elect were escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

The joint convention reconvened, President Neu presiding.

Senator Hultman 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 Neu announced a quorum present and the joint convention duly organized.

Senator Gratias moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Robert D. Ray that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Gratias of Floyd, Brown of Poweshiek and Hester of Pottawattamie, on the part of the Senate, and Representatives Pelton of Clinton, Perkins of Greene and Schnekloth of Scott, on the part of the House.

Mr. Biel and Mr. Ehrlich presented additional music for the enjoyment of the joint convention.

The Justices of the Supreme Court and the Judges of the Appellate Court were escorted into the House chamber.

The committee waited upon Governor Robert D. Ray and escorted him to the Speaker's station.

President Neu then presented Governor Robert D. Ray who delivered the following address:

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices of the Supreme Court and Members of the Appellate Court, State Officials, Senators and Representatives, Distinguished Guests, and Friends:

On this second day of the first session of the Sixty-eighth General Assembly, I am reminded of the old Latin proverb which reads: "While we consider when to begin, it becomes too late..."

This legislature has begun — you are out of the starting blocks, and I commend the leadership for good planning. You have planned for an orderly session. You have planned for a short and productive session. I am glad for that. But, recalling last summer's experience with usury, I also would be grateful if you would plan for only one session...

To the one hundred twenty-five State Senators and State Representatives who were elected or re-elected last November — I extend my congratulations. You are here because your neighbors sent you. And, your work, your voices, and your votes should reflect both your judgment and their will.

To Lieutenant Governor Art Neu — I'd like to add a very special word of thanks on behalf of our Iowans. Your twelve years of public service qualify as a textbook ex-

ample for any who aspire to public life. Art, your keen insight, compassion, and your timely humor are appreciated and are going to be missed by us all.

To Terry Branstad — I know you're looking forward to your new role as Lieutenant Governor and President of the Senate. I'm looking forward to working with you and with Mel Synhorst, Mo Baringer, Bob Lounsberry and Tom Miller during this new term. Unfortunately, Lloyd Smith is no longer with us and we will miss working with him. As State Auditor and Executive Council member, Lloyd was a conscientious and cost-conscious public servant. All state officials should strive to match his zeal and his enthusiasm.

To new justices Bob Allbee, Jerry Larson and Art McGiverin, and to Judge Janet Johnson — my best wishes to you and your colleagues on the Supreme Court and Appellate Court benches. May your ability, wisdom and experience lead to distinctive and dynamic careers on the highest courts of this state.

There are two more observations I would like to add — not for you who are legislators or state officials or judges — but for all Iowans.

First: All of us in the three branches of Iowa government are privileged to serve nearly three million good, and decent, and productive people.

And second: Government alone does not have custody of Iowa's future. "Future Iowa" is not hidden under the "Golden Dome" of this capitol waiting for us to reveal it, shape it, and give it to Iowans like a Christmas gift.

"Future Iowa" is on our farmsteads, the Main Streets of our cities and towns, and our campuses, and in our homes and schools. "Future Iowa" is in the minds and in the dreams of our people.

Recognizing that, I want to fulfill my obligation this morning and report to you on the condition of the state.

I am pleased to report that ours is a good condition. While we are not free of all problems, Iowa has advanced strongly.

- ** A record one point four million Iowans held jobs last year, more than ever before; Iowa's unemployment rate continued to drop — reaching a four-year low of two point six percent, one of the lowest rates of any state and less than half the national average.
- ** Residential construction grew fifteen percent over 1977, due in large part to stimulus from our Iowa Housing Finance Authority.
- ** Resilient Iowa farmers recovered from the drought, reaping record yields and again ranking this state first in corn production and second in soybeans, number one in hogs and number two in cattle — pushing farm income up over the previous year.
- ** Total personal income continued to grow faster than the inflation rate, increasing eleven percent over 1977.

Most often we hear about these kinds of major economic accomplishments along with government's highly visible achievements, such as rail assistance, coal research and early limits on taxation.

Our Iowans ought to know what else has been happening to improve Iowa's "Quality of Life." In 1978, the following actions and innovations stirred continued progress:

1. State coordinated gasohol sales at over one hundred locations...aggressive promotion to export farm products...and a special soil erosion study — all added momentum to Iowa agriculture!
2. A stricter and a fairer sick leave policy...paperwork reduction...and new training for state managers — emphasized government efficiency to save tax dollars!
3. A revamped twenty million dollar student loan program...new classroom construction at the University of Iowa, Iowa State and U.N.I....and more state aid for grades kindergarten through twelfth — helped to keep Iowa education in the front ranks!
4. Ninety-seven percent of Iowa's school children now immunized...an expanded family practice program to train doctors...and first-in-the-nation emergency help for the deaf — reinforced state efforts for health and the handicapped!
5. Daily hot meals now served to fourteen thousand elderly...jobs for three thousand more...in-home health care...and the first Older Iowans Legislature — continued our concern for senior Iowans!
6. Tax breaks for solar users...the "Bottle and Can" bill...and announcement of "The Great Iowa Clean-up" — were examples of still more Iowa efforts for energy and the environment!
7. America's first linked rail-barge program...agreement with Wisconsin and Illinois on funding a new thirty million dollar Dubuque bridge...and a revised road fund sending more money to cities — were major transportation improvements to move Iowa people, produce and products!
8. Renewed fire prevention efforts...and two hundred eighty-five moving radar units — helped to protect Iowans and gave our state the best traffic safety record west of Ohio!
9. A welfare fraud crackdown recovered one hundred times more money than the previous year...recapture of nine million dollars from parents who abandoned their children...and a praiseworthy program to put welfare recipients in to jobs — all to see public assistance used wisely, not wastefully!
10. Start up of a unitization plan to upgrade our prisons...and opening of the largest prisoner work-training site in the country — were items to give Iowa inmates the skills they need to become productive and law-abiding citizens!

Those are only sample highlights from 1978; some were more dramatic than others. All helped to make Iowa a better place to live and to work and to grow.

* * *

During the fall campaign, I quoted James Salk who said, "The greatest reward for doing is the opportunity to do more..." That is the challenge we face at the beginning of this new session — to do more for our state and its people, while living within our means.

This morning I want to stress four significant issues that demand your prompt attention. And with them, I want to introduce some important initiatives that deserve your positive action...

First: For our Iowa homeowners, renters and landlords — repeal of the sales tax collected on energy utility bills...a seventeen million dollar savings to help our Iowans fight inflation. In addition, accelerated energy conservation and development of solar energy.

Second: For our Iowa workers — new incentives for industry to expand job opportunities...and, at the same time, overhaul of inequitable unemployment compensation laws.

Third: For our Iowa communities — urban revitalization to offer a sound basis for re-investment in older neighborhoods.

Fourth: For our Iowa taxpayers — ten specific recommendations to make government more efficient and more effective.

Let's look at these four basic issues...

UTILITY TAX RELIEF AND ENERGY

The news columns tell us that Iowans and Americans are disappointed by the seeming inability of the federal administration and Congress to stem inflation. A negative balance of trade, massive deficits and constant uncertainty have eroded the dollar and dented confidence in Washington.

While our state economy is strong, Iowans most certainly are not immune from inflation. We see the effect of inflation with each month's utility bill. Jolted most severely by rising utility rates are retired Iowans trying to get by on fixed incomes.

Rising fuel and utility costs are, for the most part, determined by foreign decisions, and are beyond control of the homeowner, the renter and the landlord. We can't stop inflation by ourselves...but, when and where government can make a difference, we should be there, trying.

Our Iowa Commerce Commissioners understood the widespread concern over utility costs when they rejected over thirty million dollars in proposed rate hikes last year. They made a difference.

As we begin in 1979, we now find we are in a position where we can provide even more direct help to our Iowans.

We have already had some good experience with tax cutting. Five years ago, when we could afford it, I proposed repeal of the sales tax on food and drugs. The legislature concurred and Iowans are realizing the benefits.

This year, we can afford to take another step — a big step.

Today, I recommend repeal of the state sales tax on all residential energy bills. This will be a seventeen million dollar tax break for Iowans!

With this tax cut, we can help insulate Iowans from inflationary utility costs. This is a wise action at the right time...another tax savings for our citizens.

There's more that can be done and we can do it. Iowa consumers who receive utility refunds are entitled to interest on those refunds based on current rates. This law should be updated. And, time and money can be saved if we allow Commerce Commission rate decisions to be appealed directly to the Supreme Court.

As we try to hold down energy costs, I remind you how critically important it is to conserve energy and explore new energy sources.

To save energy and taxpayers' money, I advocate life-cycle costing and purchasing requirements for state government.

My 1979 energy program also calls for continued promotion of solar energy and even includes protection of access to sunlight for solar energy users.

We can't solve the nation's energy crisis all alone. But, we have had an enviable track record here in Iowa during energy shortages. Continued leadership from our Energy Policy Council and legislative support for the energy tax break and these other initiatives will help keep Iowa in the forefront — and isn't that where we want to stay?

JOB INCENTIVES

Without doubt, one of the most important things in peoples' lives is the chance to hold a job and earn a living. And, few things are more important to Iowa and America than having our citizens productively employed. Jobs mean purchasing power for people to improve their lives and livelihoods.

One of our jobs in government is to spur new employment opportunities for Iowans. Our Iowa Development Commission earns high marks from industries that locate here. The single-factor corporate income tax, which I have steadfastly supported, was upheld last summer by the U. S. Supreme Court. It brings jobs to Iowa, and it helps keep jobs in Iowa.

Those are some of the reasons why we've averaged eleven thousand new manufacturing jobs every year for the last ten years. Yet, during that same period, on the average, nine thousand manufacturing jobs have left Iowa each year because of plant obsolescence, energy, attrition and attractive incentives offered by other states.

The competition for business, industry and jobs is terrifically fierce. Cities play for keeps when it comes to luring companies. So do states.

If Iowa is to continue to compete...to stay in the business "Big Leagues"...and clinch our share of new industry, action is a must in 1979. Indeed, to hold the companies and jobs we now have in Iowa, action is a must in 1979.

Therefore, I am today proposing a series of incentives to create new jobs and keep existing ones in Iowa. They include:

- * In three steps, removal of the sales and use tax on new equipment and machinery. Neighboring Illinois recently joined thirty-three other states with this incentive.
- * Resuming the phase-out of personal property taxes.
- * A partial property tax moratorium for new manufacturing plants that expand work opportunities. Missouri, Kansas and South Dakota offer such a tax moratorium, and we have seen Iowa jobs move to those states.
- * A revolving fund to help Iowa communities construct buildings to attract industrial prospects.
- * Industrial start-up training capability to train Iowans for specific jobs that accompany new plants.
- * Seven changes in Iowa's unemployment insurance system. Tightening this law will make Iowa's program more consistent with other states and encourage Iowans to get back on the job.

These are solid steps to give Iowa new ammunition in the battle to bring business and jobs across our borders and into our state. Isn't it time to get moving and become more competitive?

URBAN REVITALIZATION

The revitalization of Iowa communities is a high priority. Last year, I introduced a blueprint for action. Many of you expressed support for this sound concept that would stimulate investment in Iowa's center-city areas.

This program offers many selling points: Local control, tax abatement on new or remodeled development, and a stronger local tax base in the future.

This approach also has the support of your hometown mayors. It exemplifies the kind of "progress with stability" for which Iowa is known. What more can a program offer? Isn't this the year to enact urban revitalization?

GOVERNMENT EFFICIENCY AND EFFECTIVENESS

Iowans are the kind of people who demand their money's worth. They want value, whether it's for hardware or health care. And, they expect value from their government as well.

We have had good success managing state government, seeking always to serve unobtrusively at the least possible cost. And today, I outline ten recommendations to further improve efficiency and effectiveness in Iowa government. They are:

- * Implementing a "Fair Play Plan" so the State pays the cost of new programs it imposes on local governments.
- * Consolidating Iowa's mental health programs while preserving local involvement.
- * Combining the four Environmental Quality Commissions into a single board.
- * Streamlining Iowa's natural resources agencies.
- * Restructuring the Law Enforcement Academy Council.
- * Trimming the court case backlog with a Senior Judge program.
- * Forming a screening committee to review the need for all licensing boards.
- * Drafting a new ethics law for government personnel.
- * Using a Washington, D.C. office to recover some of the money Iowans send to the nation's capital.
- * Opening up collective bargaining sessions to the press and public.

These logical management proposals and others in the Budget Message will make government more efficient. They will make government more effective. And, don't you agree that's in the best interest of all Iowans to do just that?

OTHER PRIORITIES

Your work during this session will not be limited to these issues I have just mentioned. You will want to consider other items also. Let me suggest a few:

- USURY was the sleeper issue of 1978, surfacing late in the session and sparking controversy well into the summer. The floating rate you approved for home mortgages makes sense and should be kept.
- CREDIT UNION SHARE DRAFTS deserve permanent approval, subject to the same standards as other financial instruments.
- MANDATORY RETIREMENT at age sixty-five should be abolished for state employees under IPERS because it's the right thing to do.
- ELDERCARE is a new focus for programs which promises help for our senior Iowans and merits support.
- HAZARDOUS SUBSTANCES can be a threat to all of us and a new law for their disposal is called for.

- EQUAL RIGHTS for all Iowans have been affirmed through legislation and should now be guaranteed in the Iowa Constitution.
- REPRESENTATION FOR THE DISTRICT OF COLUMBIA in Congress, the latest amendment to the United States Constitution, warrants Iowa's ratification.
- REAPPORTIONMENT will be a timely issue in two years; this task should be assigned to a bi-partisan citizens panel, subject to legislative approval.
- CONSUMER PROTECTION in Iowa should be enhanced by a new mechanic's lien law and modernizing procedures for class action suits.
- PRODUCT LIABILITY insurance safeguards consumers but is now an increasing problem for manufacturers; we can do something without depriving individuals of this needed protection.
- UNIFORM PARENTAGE legislation would treat innocent children more equitably, and I again request your approval.

These are the collective thoughts that come from the executive branch of Iowa government. They are enlightened and, I think, even exciting. And they represent a serious desire to give our Iowans the kind of government they want — a government both frugal and flexible, a government that is compassionate, and a government that plans, anticipates, and attacks problems.

This Friday, in my Inaugural Address, I intend to set forth some of the principles which have guided me in the preparation of this legislative program. And, a week from Thursday, I will deliver the Governor's detailed budget for the 1979-81 biennium.

In both of these messages, I will be discussing taxes and spending, and the scope and size of government. And, I'll be reminding you that we have shown restraint — putting limits on taxes while giving strong support to education and other priorities.

I can and I do ask that you give my 1979 plan for Iowa your careful scrutiny, with the expectation that it will earn your support.

The political campaigning is over, and we don't face an election this year. So, I say to you, this is a time to look not at polls and precinct maps, but at people and programs.

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As I end this message, I am reminded of Thomas Carlyle who said, "Nothing is more terrible than activity without insight."

This new General Assembly, with its large and talented freshman class, features fresh insight into our Iowans and their concerns. I hope you will want to share that insight and work with us. Let me add, my staff and I and department heads look forward to working with you.

The ingredients for a successful session are fact, reason, perspective, and a sense

of purpose. If we keep those elements in mind, your work and mine will better serve the people who elected us.

We have a chance in 1979 to invigorate Iowans with a revival of interest in their government. Action to remove residential energy taxes, create jobs, revitalize neighborhoods, and become more efficient will convince Iowans that we do listen and prove we do care — for them, their priorities and their future. Let's start today!

Thank you.

GOVERNOR'S RECOMMENDATIONS

Recommendations submitted to the Sixty—eighth General Assembly, First Session, in accordance with Article IV, Section 12, of the Constitution of the State of Iowa:

Repeal of Sales Tax on Residential Utilities

Our present budget situation permits us to take a bold initiative to assist Iowans with their energy utility bills. While the cost of fuel is ever increasing, state government can take action to help the consumer by repealing the sales tax on residential utilities at an annual cost savings of about \$17 million to homeowners, renters, and landlords.

Solar Energy and Sun Rights

The use of solar energy in our state is truly on the rise. Iowa now has over one hundred dealers, distributors, and manufacturers of solar energy equipment to demonstrate the expansion of this new industry. It is time for new legislation to protect the rights to sunlight to insure that investments made in solar energy devices are not negated by construction on surrounding properties which would obscure the sun and render the solar devices ineffective. Sun rights legislation is considered by the Energy Policy Council to be the single most positive step in the promotion of solar energy commercialization.

Life Cycle Costing in State Purchases and Buildings

Life cycle costing needs to be included as a necessary and essential aspect of state government purchasing procedures. In accepting bids for the purchase of equipment, the least expensive product is the product with the lowest total cost including the operating cost over its useful life. In addition, this same type of analysis should be extended to the bidding procedures for the construction of new state buildings.

Appeal of Commerce Commission Rate Decisions

Direct appeal of Commerce Commission rate decisions to the Supreme Court can reduce the time lag experienced in resolving these cases. Ratepayers will benefit by reducing the unnecessarily large costs incurred during the prolonged litigation process.

Fair Rate of Return on Utility Refunds

When making refunds to customers after a rate case is decided, present law authorizes the Commerce Commission to require a utility to pay from 5 to 9 percent interest on those refunds. With the present money market, the maximum allowable rate does not adequately compensate the public for the use of its money and should be increased.

Repeal of Sales and Use Tax on New Equipment and Machinery

To attract new job opportunities to Iowa, we should repeal the sales tax on the purchases of new machinery and equipment. As other states have, Iowa can accomplish this repeal by phasing it in over the next three years on a refundable basis. The new jobs created by this exemption will, at least partially, offset the loss of revenue caused by the repeal.

Property Tax Abatement

Local governments should have the ability, where so desired, to encourage industrial growth by offering a partial property tax moratorium to new or expanding industry. Other states have found success in securing new jobs by offering such an incentive.

Personal Property Tax Phaseout

Now that our funds permit it, we should resume the phaseout of the personal property tax. The next addition of \$3.8 million in phaseout funds in FYE 1980 will permit a substantial increase in the current \$58,000 exemption level.

State Assistance for Communities with Industrial Buildings

Today, industrial prospects are more and more seeking existing buildings rather than building new ones. Iowa communities, to remain successful in attracting new job opportunities, have found it beneficial to finance the construction of industrial facilities with the hope of attracting new business. While most communities can arrange local financing, they have difficulty in generating cash for interest payments until the facility is sold. The State can guarantee the interest payments for the second, third, and fourth years a building is on the market with the understanding that the interest would be returned to the State upon the sale of the building.

Industrial Start-up Training Funds

It would benefit economic development to assist companies which expand or locate in Iowa by providing start-up training to their new employees. This short-term training would be provided through our area community colleges and would be designed to provide new businesses with well-trained workers who can meet their specific needs.

Unemployment Insurance

Iowa's present unemployment insurance system should be reformed with the following changes:

1. Reduction of the current maximum duration of benefits from thirty-nine to twenty-six weeks, making Iowa consistent with forty-one other states.
2. Freezing the current maximum benefit amount until it equals 58 percent of the average weekly wage.
3. Requiring requalification for misconduct cases similar to voluntary quit cases.
4. Restoration of the one-week waiting period.
5. Removing disincentives in the partial unemployment benefits program.
6. Raising the notification period from seven to ten days.
7. Relieving individual employers of the cost of out-of-state benefits that would have been denied in Iowa.

Urban Revitalization

Our cities can gain a real advantage with urban revitalization programs which will encourage renovation and redevelopment of their inner-urban neighborhoods through a program of locally controlled property tax abatements. All classes of property should be included in reinvestment provisions through the urban revitalization program in our cities.

Fair Play Plan

While state and local governments have little protection from the federal government, we can give some assurances to local governments that the state will not impose new programs without providing the financial means to fund them.

Mental Health Reorganization

We need a more consistent and equitable statewide program for mental health services. This reorganization should provide for programs which encourage cooperation between hospitals, institutions, and outpatient centers, resulting in comprehensive client treatment. A major focus of reorganization should be maintenance of Iowa's unique local involvement in mental health. The Mental Health Advisory Council's initial recommendations should be available for guidance within two months.

Department of Environmental Quality Reorganization

It is recommended that the General Assembly complete in this session the reorganization of the Department of Environmental Quality. A reorganization would leave the department with a single policy-making commission in place of the four separate commissions and the executive committee now in place. This would permit the department to be more responsive to the many-faceted problems of enhancing the quality of our air, water, and land resources and protecting the health of our citizens.

Natural Resource Agencies Reorganization

The interrelated resource programs of the Department of Soil Conservation and the Iowa Natural Resources Council should be combined. This would offer increased effectiveness and better coordination of the state's soil and water conservation programs which serve both rural and urban needs. Equally important, it would be a logical entity to accept and administer the land preservation policies now being studied and formulated.

Law Enforcement Academy Council

The current structured membership of the Law Enforcement Academy Council should be replaced with a council of seven members appointed by the Governor from the general public.

Senior Judge Program

We can take advantage of the experience and knowledge of retired judges by adoption of the senior judge program. Not only would participating judges enjoy increased retirement income, but a reduction of the court backlog could also be accomplished.

Screening Committee for Licensing Boards

State licensing of professions is for the purpose of protecting the health and safety of the public. A citizen's screening committee could review proposed and existing licensing efforts to determine if they are meeting that purpose.

Ethics

Last year it was suggested that we await receipt of the report of the Governor's Task Force on Government Ethics before suggesting specific ethics legislation. A review of those recommendations provides an excellent basis for developing a comprehensive code for the legislative and executive branches of government.

Washington, D. C. Office

The federal government's involvement in Iowa's activities can range from farm support programs to girls basketball. Iowa should join the thirty other states that have established state offices in Washington, D. C., so that we can better anticipate the federal government's latest actions and secure our fair share of federal funds.

Public Collective Bargaining Sessions

Last year's compromise on open collective bargaining sessions was insufficient to let the public know and understand the process by which their tax dollars are spent on employee salaries. The open meetings law should be applied to the collective bargaining process more comprehensively.

Usury

Last year's temporary bill permitting the floating interest rate ceiling should be

replaced with permanent legislation that allows for access to money markets by Iowa homebuyers. The floating-rate concept makes sense and should be continued.

Credit Union Share Drafts

Quick action is needed to permit the use of share draft accounts on a permanent basis. The many Iowans who use share draft accounts should be permitted to continue to use them and be afforded the same protection that customers of other financial institutions enjoy.

Mandatory Retirement

We should renew our efforts to abolish mandatory retirement for state employees under IPERS. In addition, present law should be changed to comply with the recent federal action to raise the minimum mandatory retirement age for most other employees to age seventy. Before all retirement ages are eliminated, however, we need to take a look at the interrelationships between tenure, retirement benefits, and the complete abolishment of mandatory retirement.

Elder Care

Iowa has developed a large number of financial and service programs for our senior Iowans. Many of these are used well and to capacity. We are recommending state funds for several of these services, such as adult day care, chore services, and home repair programs.

Hazardous Waste Disposal

The hazardous waste program would protect Iowa's environment from the improper storage, transportation, treatment, and disposal of hazardous wastes. The disposal control effort would allow Iowa's hazardous waste program to be approved by the EPA and therefore allow Iowa to administer the hazardous waste program in lieu of EPA.

Equal Rights Amendment

Iowa's record of support for and accomplishments in achieving equal rights for all its citizens has been noteworthy and received national recognition. Passage of a state equal rights amendment will help us maintain our momentum and even improve our record.

District of Columbia Representation

Even though the District of Columbia has a population greater than five states of the Union and its residents carry the same burden of citizenship as those of the fifty states, they are not allowed to participate fully in our government and do not have representation in Congress. The State of Iowa should ratify the constitutional amendment for full voting representation in the United States House of Representatives and the United States Senate for the District of Columbia.

Reapportionment

Gerrymandering often offers only short-term returns. Our citizens would be better off if we had a bipartisan citizens panel to draw congressional and legislative district lines that give recognition to population and local political boundaries but avoid unfair political advantages. A citizens commission would be prepared and equipped to offer the legislature an equitable solution while retaining in the legislature final decision-making authority.

Class Action Procedural Modernization

The Supreme Court and the legislature should seriously consider the now outdated rules relating to consumer-type class actions. Adoption of the Uniform Class Action Act or Rule would ease access to Iowa judicial remedies now denied by docket oriented federal practice.

Mechanic's Liens

Many consumers, particularly the elderly or young homeowner, fail to appreciate the extensive remedies available to creditors under Iowa's mechanic's lien law. A measured protection can be afforded from such misunderstanding if suppliers of materials and services were required by law to give notice in advance that a mechanic's lien could be filed against the improved property if payment is not made to the supplier and a lien waiver obtained.

Products Liability

We have recognized through rule of law that the burden of the results of the use of defective products should rest with the manufacturer and not the injured party. We know that a number of Iowa manufacturers have been unable to insure against the product liability risk because of the high cost or unavailability of insurance coverage. Following the guideline of our successful medical malpractice legislation, we urge creation of an interim joint underwriting authority to provide basic coverage now where needed and require specific data from insurance carriers. This will enable us to determine the full impact of the many legislative remedies presently urged upon state government for adoption without limiting the basic rights of Iowans.

Uniform Parentage Act

This act establishes rules and procedures for determining the natural parents of a child. It also extends the parent-child relationship equally to all children and parents regardless of the marital status of the parents and provides for the termination of custody and parental rights in certain situations.

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

On motion by Halvorson of Clayton, the joint convention was recessed until 11:00 a.m., Friday, January 12, 1979.

The House reconvened, Speaker Millen in the chair.

On motion by Halvorson of Clayton, the House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

HOUSE RESOLUTION 3 By Committee on Rules

1 *Be It Resolved by the House of Representatives,*
2 That the rules of the House for the Sixty-eighth
3 General Assembly shall be:

DIVISION I—GENERAL RULES

RULE 1

CALL TO ORDER

7 The speaker shall take the chair at the hour to which the
8 house shall have adjourned, and shall immediately call the
9 members to order.

RULE 2

QUORUM CALL AND TIME OF CONVENING

12 The presiding officer may call for roll to be taken to
13 determine those present and absent.

14 On any day to which the House shall have adjourned, unless
15 otherwise ordered, the House shall convene at 9:00 a.m. and
16 adjourn not later than 10:00 a.m.

17 The house shall convene each Monday at 10:00 a.m. and at
18 9:00 a.m. on all other legislative days, unless otherwise
19 ordered, and adjourn no later than 6:00 p.m. without the
20 consent of a constitutional majority of the house.

RULE 3

ABSENCES AND EXCUSES

23 No member shall be absent from the service of the house
24 without leave unless that person be sick or unable to attend.

RULE 4

PRESERVATION OF ORDER

27 The speaker shall preserve order and decorum, and speak
28 to points of order in preference to other members. The speaker
29 shall decide questions of order subject to an appeal to the
30 house by any two members.

31 Only past legislators, state officials, persons whose
32 presence is deemed by the speaker to be of special significance
33 to the house, and school classes accompanied by teachers
34 seated in the galleries shall be introduced in the house.

RULE 5

CLEARING OF THE CHAMBER

37 In case of any disturbance or disorderly conduct in the
38 chamber of the house, the speaker or chairman of the committee

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1 of the whole house shall have power to have the same cleared.
 2 In the case of any disturbance or disorderly conduct in the
 3 chamber of the house or any of its committee rooms, the speaker
 4 or chairperson of the committee meeting shall have the power
 5 to have it cleared.

RULE 6**ORDER OF BUSINESS**

6
 7 The following order of business shall govern:
 8
 9 1. Correction of the journal.
 10 2. Bills to be introduced.
 11 3. Business pending at last previous adjournment.
 12 4. Reports in possession of the house.
 13 5. Bills on their passage.
 14 6. Resolutions.
 15 7. Messages and communications on the speaker's table.

RULE 7**RULES OF PARLIAMENTARY PRACTICE**

16
 17 The rules of parliamentary practice in Robert's Revised
 18 Rules of Order and Mason's Manual of Legislative Procedure
 19 shall govern the house in all cases where they are not
 20 inconsistent with the standing rules of this house or the
 21 joint rules of the senate and house.
 22

RULE 8**THE SPEAKER PRO TEMPORE**

23
 24 The house shall, at its pleasure, elect a speaker pro
 25 tempore. When the speaker shall for any cause be absent,
 26 the speaker pro tempore shall preside, except when the chair
 27 is filled by appointment by either the speaker or the speaker
 28 pro tempore. The speaker or the speaker pro tempore shall
 29 have the right to name any member to perform the duties of
 30 speaker, but such substitution shall not extend beyond the
 31 adjournment. The acts of the speaker pro tempore shall have
 32 the same validity as those of the speaker. In the absence
 33 of both the speaker and the speaker pro tempore, the house
 34 shall name a speaker who shall preside over it and perform
 35

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1 all the duties of the speaker with the exception of signing
 2 bills, until such time as the speaker or speaker pro tempore
 3 shall be present, and the person's acts shall have the same
 4 force and validity as those of the regularly elected speaker.
 5

RULE 9**AMENDMENT AND SUSPENSION OF RULES**

6
 7 A motion to change or rescind a standing rule or order
 8 of the house requires one day's notice. A motion to suspend
 9 a rule, to table or take from the table, a matter requires
 10 an affirmative vote of at least a constitutional majority.
 11 Postponing or changing the order of business requires an
 12 affirmative vote of at least a constitutional majority except

13 for the control granted to the steering committee following
14 its appointment.

15 **RULE 10**

16 **APPOINTMENT OF STEERING COMMITTEE**

17 The steering committee may be appointed by the speaker
18 of the house on or after the Friday of the thirteenth week
19 of the first session and on or after the Friday of the eleventh
20 week of the second session. The steering committee shall
21 have charge of all bills except appropriation bills and ways
22 and means bills and bills that have passed the house and
23 senate in different forms.

24 The steering committee shall place regular calendar bills
25 on a steering calendar and steering non-controversial calendar.
26 When the steering committee is appointed, the weekly and daily
27 debate calendars shall consist of bills on the steering
28 calendar, steering non-controversial calendar, appropriations
29 and ways and means calendars, and all bills having passed
30 the house and senate in different forms.

31 **RULE 11**

32 **CALLING TO ORDER AND APPEALS FROM THE CHAIR**

33 When any member in speaking, or otherwise, transgresses
34 the rules of the house, the speaker shall, or any member may,
35 call that person to order; in which case the member so called

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1 to order shall immediately sit down, but may be permitted
2 with leave of the house to explain; and the house shall, if
3 appealed to, decide the case, but without debate. If there
4 be no appeal, the decision of the chair shall be submitted
5 to; if the decision be in favor of the member so called to
6 order, that person is at liberty to proceed. If the case
7 requires it, that person shall be liable to the censure of
8 the house.

9 **RULE 12**

10 **RECOGNITION AND DECORUM IN DEBATE**

11 When any member is about to speak in debate, or deliver
12 any matter to the house, that person shall rise from that
13 person's seat and respectfully address the presiding officer
14 by that person's title, saying, "Mr. or Madam Speaker," and
15 shall not proceed until recognized by the chair, and shall
16 confine himself or herself to the question under debate and
17 shall avoid personalities.

18 **RULE 13**

19 **LIMIT ON DEBATE**

20 No member shall speak more than once on the same question,
21 without leave of the speaker, nor more than twice until every
22 member choosing to speak shall have spoken, except as provided
23 in Rule 87; provided further, when bills are being considered
24 prior to their last reading debate thereon shall be limited
25 to ten minutes to each member desiring to speak thereon, which

26 may be extended by consent of the house.

27 **RULE 14**

28 **DECORUM DURING DEBATE**

29 While the speaker is putting a question or addressing the
30 house, no one shall walk out of or across the house; and when
31 a member is speaking, no one shall pass between that person
32 and the speaker.

33 **RULE 15**

34 **FOOD PROHIBITED**

35 All food is prohibited from the house chamber while the

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1 house is in session.

2 **RULE 16**

3 **REPRESENTATIVES CHAIRS RESTRICTED**

4 No person other than a representative shall sit in a chair
5 assigned to a member of the house of representatives during
6 the time the house is in session.

7 **RULE 17**

8 **STATING THE QUESTION**

9 When a motion is made, it shall be stated by the speaker;
10 or, being in writing, it shall be passed to the desk and read
11 aloud before debated.

12 **RULE 18**

13 **PUTTING THE QUESTION**

14 Questions shall be distinctly put in this form, to wit:
15 "As many as are of the opinion that (as the question may be)
16 say 'aye' "; and after the affirmative voice is expressed,
17 "As many as are of a contrary opinion say 'no' ". If the
18 speaker doubts or a member of the house requests, a nonrecord
19 roll call vote may be taken.

20 **RULE 19**

21 **REFERRAL OF RULE VIOLATIONS**

22 The speaker shall, upon complaint of a member, or upon
23 the speaker's own motion, refer any alleged violation of house
24 or joint rules by house members, employees or staff to the
25 house ethics committee upon an initial finding that an
26 investigation is warranted.

27 The ethics committee shall investigate such allegations
28 and report them back to the house with a recommendation.

29 **DIVISION II—EMPLOYEES OF THE HOUSE**

30 **RULE 20**

31 **CHIEF CLERK OF THE HOUSE**

32 The chief clerk of the house shall serve as parliamentary
33 and chief administrative officer for the house. The chief
34 clerk of the house shall serve as parliamentary and chief
35 administrative officer of the house under the direction of

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1 the speaker of the house. The chief clerk shall have charge
 2 of the chief clerk's desk; be responsible for the custody
 3 and safekeeping of all bills, resolutions, and amendments
 4 filed, except when they are in the custody of a committee;
 5 have charge of the daily journal; have control of all rooms
 6 assigned for the use of the house; check all bills as to
 7 proper form prior to introduction; keep a detailed record
 8 of house action thereon; process the handling of amendments
 9 when filed and during the floor consideration of bills; insert
 10 adopted amendments into bills before transmitted to the senate
 11 and prior to final enrollment; supervise legislation printing
 12 and the distribution of printed material; and perform all
 13 other duties pertaining to the office of chief clerk.

RULE 21

LEGAL COUNSEL

16 The legal counsel shall be a house employee under the
 17 guidance of the chief clerk. The legal counsel shall be a
 18 house employee under the direction of the speaker of the
 19 house. The legal counsel shall serve as chief legal officer
 20 of the house; supervise the legal counsel's office; clear
 21 all bills, resolutions, and amendments as to proper form prior
 22 to introduction; and provide assistance to house committees.

RULE 22

SERGEANT - AT - ARMS

25 It shall be the duty of the sergeant-at-arms to execute
 26 all orders of the house or of its presiding officer; to perform
 27 all duties that may, from time to time, be assigned to that
 28 person connected with the policing and good order of the
 29 house; to exercise supervision over the ingress and egress
 30 of all persons to and from the chamber; to see that all
 31 messages, etc., are promptly executed; and that the hall is
 32 properly ventilated and open for the use of the members; and
 33 to perform all other services pertaining to the office of
 34 sergeant-at-arms.

RULE 23

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CLERKS

1 All clerks and stenographers of the house shall be under
 2 the general direction of the speaker and the chief clerk.
 3 Clerks and stenographers shall be on duty at the house from
 4 8:30 a.m. to 4:30 p.m. except when excused by the member
 5 to whom the clerk or stenographer is assigned. Clerks and
 6 stenographers shall perform such additional duties as may
 7 be assigned to them by the chief clerk.

RULE 24

EXTRA COMPENSATION OF EMPLOYEES

11 No employee shall receive any extra compensation, except
 12 as provided by the house, or tips for services performed while

13 on duty. Any violation of this rule shall be grounds for
14 removal.

15 DIVISION III – VISITORS AND LOBBYISTS

16 RULE 25

17 ADMISSION TO THE HOUSE; LOBBYING

18 The chamber of the house shall include the vestibule,
19 restrooms, cloak room, lounge, visitors' galleries, and floor
20 of the house.

21 The floor of the house shall consist of that area between
22 the press box, speaker's station, and the south wall behind
23 the last row of desks occupied by representatives, excluding,
24 however, the visitors' galleries.

25 Except as otherwise provided in this rule for registered
26 lobbyists, during a legislative day while the house is in
27 session, and one-half hour before the house convenes and one-
28 half hour after the house recesses or adjourns, no person
29 shall be admitted to the floor of the house except:

- 30 1. Members of the general assembly and authorized house
- 31 employees in the performance of their duties.
- 32 2. Former members of the general assembly who are not
- 33 registered lobbyists.
- 34 3. A general assembly member's family.
- 35 3. A general assembly member's family who shall be

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1 restricted to the perimeter seating area only while the house
2 is in session.

3 4. Representatives of the press, radio, and television
4 who shall go directly to and from the press box.

5 5. Legislative interns assigned by the joint legislative
6 intern committee or approved by the chief clerk.

7 5. Legislative interns assigned by the joint legislative
8 intern committee or approved by the chief clerk who shall
9 go directly to and from the seat of their assigned
10 representative or be seated in the perimeter seating area.

11 6. Chairman, co-chairman, and the executive secretary
12 of a political party.

13 7. Personnel of the code editor's office, legislative
14 service bureau and fiscal director's office.

15 8. Members of state executive council and attorney general.

16 8. The governor's executive assistants and administrative
17 assistants, members of the state executive council and the
18 attorney general, the citizen's aide/ombudsman, and the
19 administrative rules coordinator who shall be confined to
20 the perimeter area.

21 No person admitted to the floor of the house, except members
22 of the general assembly, shall, while the house is in session,
23 lobby or attempt to exercise any influence with any member
24 for or against any matter then pending or that may thereafter
25 be considered by the house.

26 Notwithstanding the provisions of this rule regarding
 27 admission to the floor of the house, a registered lobbyist
 28 shall not be admitted to the floor of the house on any day
 29 when the house is in session or committees are scheduled to
 30 meet from one-half hour before the house convenes or 9:00
 31 a.m. whichever is earlier, until one-half hour after the house
 32 adjourns or until 4:30 p.m., whichever is later, except to
 33 gain access to a committee room, or when the house is not
 34 in session upon the invitation of a member or members of the
 35 house for the purpose of visiting only with that member or

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1 members of the house.

2 Each lobbyist shall be given a copy of this rule when the
 3 lobbyist registers.

4 It shall be the duty of each member and employee of the
 5 house, or registered lobbyist who believes that this rule
 6 is being violated, to report such violation immediately to
 7 the sergeant-at-arms.

8 Any person for cause may be summarily dismissed from the
 9 chamber of the house, by action of the house, and shall forfeit
 10 that person's right to admission thereafter.

11 **RULE 26**12 **DISTRIBUTION OF LITERATURE**

13 No person not a member of the house of representatives
 14 shall distribute or cause to be distributed any pamphlets,
 15 material, or other printed literature in the house without
 16 the express permission of the chief clerk. Each piece of
 17 literature shall bear its source of distribution.

18 All pamphlets, material, or printed literature distributed
 19 by a member of the general assembly shall bear the name of
 20 the member.

21 **RULE 27**22 **DISTRIBUTION OF MATERIALS PRINTED BY THE STATE**

23 A member of the house shall not distribute maps, books,
 24 and pamphlets such as, but not limited to Golden Dome, How
 25 a Bill Becomes Law, etc., which have been printed by the state
 26 of Iowa and upon which the name of the member of the house
 27 has been affixed unless the member has purchased the materials,
 28 or unless the member has affixed the words "Paid for by the
 29 citizens of Iowa and distributed by representative (member's
 30 name)."

31 **DIVISION IV - FORMS AND PROCEDURES**
 32 **FOR BILLS AND OTHER DOCUMENTS**33 **RULE 28**34 **DOCUMENTS SIGNED BY THE SPEAKER**

35 All acts, addresses and joint resolutions shall be signed

Page 10

1 by the speaker, and all writs, warrants, subpoenas, issued

2 by order of the house, shall be under his or her hand and
3 attested to by the chief clerk.

4 RULE 29

5 PRESENTATION OF PETITIONS

6 All petitions, memorials and other papers addressed to
7 the house shall be filed by the member with the chief clerk
8 or the chief clerk's assistant prior to the convening of the
9 house. Each member upon filing any such petition, memorial
10 or other paper shall endorse thereon that person's name and
11 a failure to do so will cause the same to be ignored.

12 RULE 30

13 CONSIDERATION OF RESOLUTIONS

14 Action on each resolution, except a memorial resolution,
15 and proposition requesting information from a state official
16 may not be taken until one day after the resolution or
17 proposition has been printed in the journal and placed on
18 the members' desks. After the resolution is adopted, the
19 chief clerk shall transmit certified copies.

20 RULE 31

21 UNANIMOUS CONSENT CALENDAR

22 The speaker may, upon the request of three members, place
23 on a unanimous consent calendar any house resolution or
24 concurrent resolution which does not contain an appropriation
25 and which has been laid over under Rule 30.

26 If such resolution is placed on the unanimous consent
27 calendar it may be removed only upon a written request
28 submitted to the speaker by a member of the house.

29 If not removed after five legislative days, the chief clerk
30 shall call up the resolution and without debate the speaker
31 shall pronounce that it has passed by unanimous consent.

32 If the resolution is removed from the unanimous consent
33 calendar, the speaker may again lay the resolution over under
34 Rule 30, place it on a different calendar, or refer the
35 resolution to any of the standing committees of the house.

Page 11

1 RULE 32

2 FORMS OF BILLS AND JOINT RESOLUTIONS

3 Every house bill shall be introduced by one or more members
4 or by any standing or specially authorized committee of the
5 house or interim study committee of the sixty-sixth general
6 assembly.

7 Every house bill shall be introduced by one or more members
8 or by any standing or specially authorized committee of the
9 house or interim study committee meeting during that general
10 assembly. All bills and joint resolutions introduced shall
11 be of typewritten copy with title, enacting clause, and body
12 of bill as directed by the chief clerk of the house. One
13 copy of each bill shall be presented in a bill cover and be
14 accompanied by the number of copies of the bill and the title

15 as shall be directed by the chief clerk. No bill shall be
 16 introduced nor shall the chief clerk accept the same unless
 17 an adequate explanation thereof is included at the end of
 18 each bill.

19 RULE 33

20 JOINT RESOLUTIONS

21 Joint resolutions shall be framed and treated as bills.

22 RULE 34

23 TIME OF INTRODUCTION OF BILLS

24 The final day for the introduction of individually sponsored
 25 bills shall be the sixty-first calendar day of the first
 26 regular session of a general assembly unless a written request
 27 for drafting the bill has been filed with the legislative
 28 service bureau before that time. After adjournment of the
 29 first regular session, bills may be prefiled at any time
 30 before the convening of the second regular session. No bill
 31 shall be filed after the fifteenth calendar day of the second
 32 regular session of a general assembly unless a written request
 33 for drafting the bill has been filed with the legislative
 34 service bureau before that time.

35 No bill or joint resolution under individual sponsorship

Page 12

1 shall be read for the first time after 4:00 p.m. or
 2 adjournment, whichever is earlier, on Friday of the 7th week
 3 of the first regular session of the general assembly. No
 4 individual requests for a bill draft will be accepted by
 5 legislative service bureau after Friday of the 5th week of
 6 the first session.

7 After adjournment of the first regular session, bills may
 8 be prefiled at any time before the convening of the second
 9 regular session. No bill or joint resolution under individual
 10 sponsorship shall be read for the first time after 4:00 p.m.
 11 or adjournment, whichever is earlier, on Friday of the 3rd
 12 week of the second regular session of the general assembly.
 13 No individual request for a bill draft will be accepted by
 14 legislative service bureau after the Friday of the first week
 15 of the second regular session.

16 However, bills or joint resolutions co-sponsored by the
 17 majority and minority floor leaders, standing committees or
 18 sifting committee may be drafted and introduced at any time
 19 permissible under joint rule 18. House and concurrent
 20 resolutions may be introduced at any time.

21 RULE 35

22 INTRODUCTION AND READING OF BILLS

23 All bills and joint resolutions to be introduced in the
 24 house shall be typed into proper form by the legislative
 25 service bureau and shall be filed with the chief clerk no
 26 later than 4:30 p.m. on the legislative day preceding its
 27 introduction. When the time for introducing bills is reached

28 in the regular order of business, the chief clerk will proceed
 29 in the same manner as if the bills were introduced from the
 30 floor. This rule does not deny a member the right to introduce
 31 a bill from the floor if the bill has previously been typed
 32 in proper form by the legislative service bureau.
 33 Every bill shall receive two readings but no bill shall
 34 receive its first and last readings on the same day.
 35 A "reading of a bill" as required by these rules shall

Page 13

1 consist of a reading of the title and enacting clause unless
 2 otherwise demanded by a house member.

3 **RULE 36**

4 **FIRST READING, COMMITMENT AND AMENDMENT**

5 36.1 A bill is introduced into the house by an initial
 6 or "first reading of the bill."

7 36.2 When the house is in session the first reading shall
 8 consist of a "reading" as is provided in rule 35.

9 36.3 Upon a first reading of the bill, the speaker shall
 10 state that it is ready for commitment or amendment; and the
 11 speaker shall commit it to the standing or select committee,
 12 or to a committee of the whole house. If to a committee of
 13 the whole house, the house shall determine on what day.

14 36.4 On a day when the house is not in session, the speaker
 15 shall cause a statement, which shall consist of the title,
 16 enacting clause, bill number and committee to which the bill
 17 is referred to be published in the House Journal. This
 18 publication shall constitute a first reading and commitment
 19 and shall contain the notation "read and committed under rule
 20 36.4."

21 36.5 All amendments offered to bills on file or on the
 22 calendar shall be accompanied by such copies as the chief
 23 clerk shall direct.

24 36.6 Such amendments shall give the number of the bill
 25 sought to amend and the chief clerk shall designate each such
 26 amendment thus: Amendment to House File, or Senate
 27 File, by

28 36.7 A bill reported out by committee shall go to the
 29 speaker who shall direct that the bill be placed on the
 30 calendar unless it covers subject matter more properly within
 31 the jurisdiction of some other standing committee, in which
 32 case the speaker shall refer the bill to the proper standing
 33 committee. However, it shall require an affirmative vote
 34 of a majority of the total committee members to authorize
 35 the introduction of any bill.

Page 14

1 31.8 No amendment to the rules of the house, to any
 2 resolution, bill or amendment to a bill, shall be considered

3 by the membership of the house without a copy of said amendment
 4 to rule, resolution, bill or amendment to a bill being on
 5 the desks of the entire membership of the house prior to
 6 consideration.

7 36.8 No amendment to the rules of the house, to any
 8 resolution or bill shall be considered by the membership of
 9 the house without a copy of the amendment having been filed
 10 with the chief clerk on the preceding day. No amendment or
 11 amendment to an amendment to a bill, rule of the house, or
 12 resolution shall be considered by the membership of the house
 13 without a copy of said amendment being on the desk of the
 14 entire membership of the house prior to consideration.

15 RULE 37

16 COMMITMENT OF APPROPRIATION 17 AND REVENUE BILLS

18 All bills to appropriate money shall be referred to the
 19 appropriations committee, and all bills pertaining to the levy,
 20 assessment or collection of taxes shall be referred to the
 21 committee on ways and means.

22 RULE 38

23 ARRANGEMENT ON CALENDAR

24 Bills reported out for passage, or amendment and passage,
 25 or without recommendation, by a committee, shall be arranged
 26 on a daily calendar by the chief clerk at 4:30 p.m. in the
 27 order of the file number of said bills and following the
 28 preceding legislative day's daily calendar. The combined
 29 daily calendar shall make up the house calendar or order for
 30 the consideration of bills, except as otherwise provided
 31 herein. Priority shall be given to house over senate file
 32 numbers and to joint resolutions over bills.

33 RULE 39

34 DEBATE CALENDAR

35 The members of the majority floor leadership shall cause

Page 15

1 a weekly debate calendar to be prepared and distributed to
 2 the house members by the chief clerk. Said calendar shall
 3 be available by noon on the last session day of any week when
 4 floor action by the house is scheduled for the next week.

5 Any bill except appropriations and ways and means bills not
 6 listed on the debate calendar shall not be considered by the
 7 house during the week covered by the debate calendar.

8 The majority floor leadership shall cause to be prepared
 9 and distributed to the members at the opening of each session
 10 day when floor action is scheduled, a daily calendar setting
 11 forth the number, title, and order of consideration of bills
 12 for the next session day that floor action is scheduled.

13 A bill listed on the daily calendar which is not taken
 14 up in proper order shall be deleted from the debate calendar
 15 and be placed on the regular calendar.

16

RULE 40

17

CONSIDERATION OF COMMITTEE AMENDMENTS

18

After a bill has been committed and reported back it shall be considered on its first reading after the amendments of the committee have been read.

21

RULE 41

22

AMENDMENTS TO SPECIAL ORDER BILLS

23

All amendments, except corrective amendments, to bills special ordered more than seven session days in advance of the date set for debate shall be filed prior to the close of the daily clip sheet of the session day two session days prior to the date set for debate.

28

Amendments, to a special ordered bill, not timely filed as provided in this rule shall not be in order.

30

A corrective amendment is an amendment which does not substantively change the amendment or the bill.

32

The daily clip sheet shall close one hour after adjournment or 4:30 p.m. whichever is later.

34

The time limits set for the filing of amendments on specially ordered bills shall not apply to bills special

35

Page 16

1 ordered for less than seven session days.

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RULE 42

3

IRRELEVANT AMENDMENTS

4

No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

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RULE 43

8

CONSIDERATION OF BILLS

9

Bills, including committee bills, reported out for passage, for indefinite postponement, for amendment and passage, or without recommendation by the committee, shall not be acted upon until at least one day after the printed journal containing said report has been placed upon the desks of the members of the house.

15

Appropriations committee bills shall not be acted upon until at least two days after the printed bill has been placed on the desks of the members of the house.

18

The reports of the committees shall not be read while the house is in session except as herein provided. Said reports shall be printed in the journal immediately after they are filed with the chief clerk. Reports recommending bills for passage, for amendment and passage, or without recommendation shall stand approved unless written objections are filed during the first legislative day following their printing in the journal. If objections are filed, they shall be disposed of as soon as possible. Reports recommending indefinite postponement shall be governed by Rule 49.

28

Upon an affirmative vote of at least a constitutional

29 majority of the members, except as provided by Rule 55, a
30 report may be read before it is printed in the journal and
31 while the house is in session, and acted upon at once.

32 **RULE 44**

33 **CONSIDERATION OF BILLS UPON LAST READING**

34 No amendment, unless by way of correcting an error or
35 omission, shall be received to any bill on its last reading,

Page 17

1 and no debate shall be allowed on the same.

2 **RULE 45**

3 **ENDORSEMENT OF BILLS AND OTHER PAPERS**

4 All bills, resolutions, petitions, memorials or other
5 papers shall be accompanied by the name of the member
6 presenting the same.

7 **RULE 46**

8 **PRINTING OF BILLS AND JOINT RESOLUTIONS**

9 Bills and joint resolutions shall be printed in form as
10 provided by law and by rule. Each house may direct the
11 printing of an additional number of its own bills. A
12 substitute for a bill offered by a member or by a committee,
13 where it is entirely or substantially a complete substitute
14 for the particular bill, unless otherwise ordered, shall be
15 printed as a substitute for the original bill (and the caption
16 shall so indicate, giving the substitute the same number as
17 the original bill, but reciting "substitute for" such bill),
18 and such substitute bill shall by the file clerk be included
19 in the bill file next to the original bill and such substitute
20 bill shall not be printed in the journals.

21 Legalizing bills of a local or private nature shall be
22 printed in bill form and placed in the files of the members,
23 the same as other bills, in the order of their introduction.
24 The cost of such printing shall be deposited with the treasurer
25 of state, in advance at a rate to be fixed, and the newspaper
26 publication of the same shall be without cost to the state
27 and the same shall not be published until the cost of same
28 shall be paid to the secretary of state. No legalizing act
29 may be introduced until all of the provisions of law shall
30 have been complied with.

31 **RULE 47**

32 **CERTIFICATION OF BILLS**

33 When a bill shall pass it shall be certified by the chief
34 clerk noting the day of its passage at the end thereof.

35 **RULE 48**

Page 18

1 **RECOMMITMENT**

2 After the commitment and report thereof to the house, or
3 at any time before its passage, a bill may be recommitted.

4 **RULE 49**

5 EFFECT OF INDEFINITE POSTPONEMENT

6 When a question is postponed indefinitely, it shall not
7 be again acted upon during the session. Any bill reported
8 back from a committee recommending indefinite postponement
9 shall be disposed of within three legislative days after the
10 printed journal containing said report has been placed upon
11 the desks of the members of the house, otherwise the committee
12 recommendation shall be considered adopted.

13 RULE 50

14 STATUS OF BILLS FOLLOWING
15 FIRST REGULAR SESSION

16 Except as provided in Rule 3 of the joint rules all bills
17 introduced in the first regular session of a general assembly
18 which have not been withdrawn, defeated, or indefinitely
19 postponed, shall at the opening of the second regular session
20 be rereferred to a committee.

21 DIVISION V-COMMITTEE PROCEDURES

22 RULE 51

23 APPOINTMENT OF COMMITTEES

24 All committees shall be appointed by the speaker, unless
25 otherwise especially directed by the house.

26 RULE 52

27 ORDER ON QUESTION OF COMMITMENT

28 When a resolution shall be offered or a motion made to
29 refer any subject, and different committees shall be proposed,
30 question shall be taken in the following order: The committee
31 of the whole house; a standing committee; a select committee.

32 RULE 53

33 STUDY BILLS

34 A study bill is any matter which a member of the house
35 wishes to have considered by a standing committee, other than

Page 19

1 appropriations, and which has not been included in a previously
2 introduced bill. Upon taking possession of, or taking
3 committee action on, a study bill, whichever is earlier, the
4 committee chairperson shall submit three copies of such bill
5 to the chief clerk's office for numbering.

6 A study bill which has not been assigned a number by the
7 chief clerk's office prior to the report of the bill to the
8 house shall be rereferred to a committee.

9 RULE 54

10 COMMITTEE MEETINGS

11 No committee, except a conference committee, shall sit during
12 the sitting of the house without special leave.

13 RULE 55

14 SMOKING IN COMMITTEES

15 Smoking shall not be permitted in the house committee rooms
16 while a committee is meeting.

17 RULE 56

18 ASSIGNMENTS TO SUBCOMMITTEE

19 When a bill has been assigned to a subcommittee, the
 20 chair shall report to the House the bill number and the
 21 names of the subcommittee members and such reports shall be
 22 reported in the journal of the last legislative day of the
 23 week in which the bill is assigned.

24 RULE 57

25 OPEN MEETINGS

26 Standing, sifting and steering committee meetings shall
 27 be open, and voting by secret ballot shall be prohibited.

28 RULE 58

29 QUORUM CALL

30 At the convening of each committee meeting the roll of
 31 the committee shall be called listing those present and absent.

32 RULE 59.1

33 TIME OF FILING REPORT AND CONTENTS

34 A report shall be filed with the chief clerk no later than
 35 10:00 a.m. of the legislative day immediately following the

Page 20

1 day of the committee meeting. The committee report shall
 2 be of public record and shall be published in the journal.
 3 The report shall include the following information:
 4 a. The time the meeting was scheduled to convene.
 5 b. The time the meeting convened.
 6 c. The members present at time of convening.
 7 d. The time the meeting adjourned.
 8 If any bills are finally disposed of in committee the
 9 report shall also include the ayes and the nays of the
 10 committee on such disposition.

11 RULE 59.2

12 MINORITY RECOMMENDATION

13 The minority of the members of any committee may present
 14 its recommendations on the final disposition of any bill to
 15 the house by attaching such recommendation to the committee
 16 report and the same shall be printed in the journal with the
 17 committee report.

18 RULE 60

19 COMMITTEE AMENDMENT

20 Whenever a committee amendment is proposed which would
 21 amend a committee amendment previously adopted, the amendment
 22 shall be drafted in the form of a substitute amendment and
 23 shall be considered as such.

24 RULE 61

25 COMMITTEE NOTICE AND AGENDA

26 Each committee shall prepare and publish a notice and
 27 agenda of each committee meeting at least one legislative
 28 day prior to the meeting.

29 The notice shall contain the committee name, the date,
 30 time and location of the meeting.

31 The agenda shall contain the matters to be discussed,
 32 including a list of bills, joint resolutions and study bills

33 by number. The agenda should contain the names of individuals
 34 who are scheduled to appear before the committee and the
 35 organization which they represent.

Page 21

1 A bill, joint resolution or study bill may not be reported
 2 out of committee if the bill was not included in the published
 3 notice and agenda unless this rule is suspended by a majority
 4 of the total membership of the committee.

RULE 62

COMMITTEE QUORUM

7 A majority of the total membership shall constitute a
 8 quorum of each standing committee.

RULE 63

COMMITTEE AMENDMENTS TO MOTIONS

11 All amendments made to an original motion in committee
 12 shall be incorporated in the motion and so reported.

RULE 64

TIME LIMIT ON COMMITTEE POSSESSION OF BILLS

14 After a bill has been in committee eighteen (18) legislative
 15 days following notation in the journal of referral to said
 16 committee, the bill may be withdrawn from the committee and
 17 placed on the calendar by an affirmative vote of not less
 18 than fifty-one (51) members of the house. This rule shall
 19 not apply to the committee on appropriations and the committee
 20 on ways and means.

RULE 65

COMMITTEE HEARINGS

23 When any matter is referred to a standing committee by
 24 motion of any member, it shall be the duty of the chairman
 25 of such standing committee to notify such member of the time
 26 of the sitting upon such matter referred, and such member
 27 shall be permitted to confer with such committee during their
 28 consideration of such matter.

30 No more than one-third of the membership of any standing
 31 committee shall be required for the purpose of requesting
 32 a public hearing to be held.

33 However, the rules of the appropriations committee and
 34 the ways and means committee may require a greater number,
 35 but not more than a majority of the total membership of the

Page 22

1 committee, for the purpose of requesting a public hearing
 2 to be held after the sifting committee has been appointed.
 3 Upon written request of such number or such lesser number
 4 as may be required by committee rules, the chairperson of
 5 a committee shall designate a time and place for a public
 6 hearing and make a public announcement thereof.

7 At least five days' notice shall be given before a public
 8 hearing is held. However, this requirement shall not apply
 9 after the steering committee is appointed.

RULE 66

SIFTING COMMITTEE

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A sifting committee shall be appointed by the speaker of the house at such time during the progress of the session as the speaker, in that person's discretion, may see fit.

The speaker of the house, before the appointment of such committee and at such time as in the speaker's opinion such appointment is necessary, shall propound to the house the following question: "Shall a sifting committee be appointed at this time?"

And if after taking the vote by ayes and nays a majority of said vote shall be in favor of the appointment of said committee, the speaker of the house shall then at once appoint the said committee. No motion from the floor of the house by any member thereof shall be considered by the house for the appointment of said committee. Upon the appointment of the sifting committee, the steering committee is discharged.

The sifting committee shall have authority to place any bill remaining either on the house calendar or remaining in any committee on the sifting committee calendar, except appropriations bills and ways and means bills. No rule of the sifting committee shall require more than sixty percent vote of the members of the committee to place a bill on the sifting committee calendar. The requirement for preparation and distribution of a weekly debate calendar as provided in rule 39 is suspended upon appointment of a sifting committee.

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A motion to withdraw a bill from the sifting committee shall be in writing and filed with the chief clerk not less than two legislative days before it can be considered, provided that this shall not apply on the last two legislative days. Only one such motion can be made with reference to any particular bill.

It shall require an affirmative vote of at least a constitutional majority of the members to withdraw a bill from the sifting committee.

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RULE 67

LIMITATION ON FILING OF CLAIMS

A claim or claim bill, the subject matter of which has been considered or filed for consideration in the House or any committee thereof, in two or more prior sessions of the general assembly, shall not be considered by any committee or by the house unless it shall have been specifically referred to this session by a prior general assembly. The committee on claims is authorized to set a definite date after which it will not receive claims or claim bills for consideration.

DIVISION VI-COMMITTEE OF THE WHOLE

RULE 68

ORGANIZATION OF COMMITTEE OF THE WHOLE

In forming the committee of the whole house, the speaker

24 shall leave his chair, and a chairman to preside in committee
25 shall be appointed by the speaker.

26 **RULE 69**

27 **RULES IN COMMITTEE OF THE WHOLE**

28 The rules of the house shall be observed in committee of
29 the whole house, so far as they are applicable.

30 **RULE 70**

31 **BILLS IN COMMITTEE OF THE WHOLE**

32 Upon bills committed to the committee of the whole house,
33 the bill shall be first read throughout by the chief clerk
34 or chairperson, and then read again or debated by clauses,
35 leaving the preamble to be last considered. After report,

Page 24

1 the bill shall be again subject to debate and amendment before
2 a vote is had on its last reading and passage.

3 **RULE 71**

4 **AMENDMENTS BY COMMITTEE OF THE WHOLE**

5 All amendments made to a report committed to a committee
6 of the whole house shall be noted and reported as in the case
7 of bills.

8 **DIVISION VII—MOTIONS**

9 **RULE 72**

10 **FORM OF MOTIONS**

11 Every motion, except subsidiary or incidental motions,
12 shall be reduced to writing, if the speaker or any member
13 desires it, but this exception shall not apply to motions
14 to amend.

15 **RULE 73**

16 **ORDER AND PRECEDENCE OF MOTIONS**

17 When a question is under debate, no motion will be received
18 except the following:

- 19 1. A motion to adjourn.
- 20 2. A motion to lay on the table.
- 21 3. A motion for the previous question.
- 22 4. A motion to postpone action until a certain day.
- 23 5. A motion to amend the bill under consideration by
24 striking the enacting words.
- 25 6. A motion to commit.
- 26 7. A motion to amend by committee.
- 27 8. A motion to amend by an individual.
- 28 9. A motion to postpone indefinitely.
- 29 These motions have precedence as listed.

30 A motion to postpone to a certain day, to commit, or to
31 postpone indefinitely a particular question will not be
32 considered more than once in the same day.

33 If a motion to amend a bill by striking the enacting words
34 is adopted, the action is equivalent to rejection of the bill.

35 **RULE 74**

Page 25

1 MOTIONS NOT DEBATABLE

2 Motion to lay on the table, to adjourn, for the previous
3 question, and appeals of a ruling of the presiding officer
4 shall be decided without debate.

5 RULE 75

6 MOTION TO ADJOURN

7 A motion to adjourn shall always be in order, except when
8 a member is speaking or the house is voting.

9 RULE 76

10 WITHDRAWAL OF MOTIONS

11 After a motion is stated by the speaker, or read by the
12 chief clerk, it shall be deemed to be in possession of the
13 house, but may be withdrawn by leave of the house.

14 RULE 77

15 COMMITMENT

16 Motions and reports may be committed at the pleasure of
17 the house.

18 RULE 78

19 RECONSIDERATION

20 A person voting on the prevailing side of a question may
21 move to reconsider the question which has been decided. The
22 floor manager if on the prevailing side of the measure shall
23 have the prior right to the motion if the motion is made on
24 the day the legislative action was taken and is printed in
25 the journal of that day's action. If the floor manager does
26 not exercise that right, then any representative voting on
27 the prevailing side may, on the same or the succeeding
28 legislative day, move for a reconsideration of the measure.

29 Any representative may call the motion up two legislative
30 days after the action to be reconsidered is taken.

31 If the motion is made within the last six days of the
32 session it shall be disposed of when made.

33 The motion to reconsider shall take precedence over all
34 questions except the consideration of a conference report,
35 a motion to fix the day to which the house shall adjourn,

Page 26

1 a motion to adjourn, and to recess.

2 A motion to reconsider any vote by which a bill or joint
3 resolution has passed or failed to pass the house shall require
4 a constitutional majority to be sustained. If the motion
5 to reconsider the vote on a bill or joint resolution prevails,
6 the motion to reconsider amendments thereto shall be in order
7 and shall be disposed of without delay.

8 A motion that the motion to reconsider be laid upon the
9 table shall be a single and indivisible motion which, if
10 carried, shall have the effect of preventing reconsideration
11 unless a motion to take from the table prevails.

DIVISION VIII-VOTING

RULE 79

MANNER OF VOTING

Upon any vote of the house on any question only those members at their desks and voting shall be counted, except as follows:

1. An original vote on any question may be recorded any time within ten minutes after the vote has been announced, providing the vote does not change the outcome of the vote on that question. The presiding officer shall announce the names of persons so recorded after the ten minute period.

2. Members meeting in a conference committee at the time a vote is taken on a question may have their vote recorded any time prior to 4:30 p.m. or adjournment, whichever is later, of that same legislative day, providing the vote does not change the outcome of the vote on that bill.

During the taking of the vote of the house on any question only those members at their desks and voting shall be counted except that members meeting in a conference committee or in administrative rules review committee at the time a vote is taken on a question may have their vote recorded within 30 minutes or adjournment, whichever is first of that same legislative day, providing the vote does not change the outcome of the vote on that question.

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RULE 80

DUTY OF VOTING

Except as limited by rule 79, every member who shall be in the house when the question is put shall give his or her vote, unless the house for special reasons shall excuse that person; but such a member must ask to be excused before commencing to take a vote on the main question.

RULE 81

LIMITATION ON RIGHT TO VOTE

No member shall vote on any question in which that person is financially interested.

RULE 82

VOTE OF THE SPEAKER

In all cases of a call of the ayes and nays, the speaker shall vote; in other cases that person shall not be required to vote unless the house is equally divided or unless, that person's vote, if given to the minority, will make the division equal, and in case of such equal division the question shall be lost.

RULE 83

CALL OF THE HOUSE

Upon written request of five members, the presiding officer shall compel the attendance of absent members for the consideration of specified bills or resolutions.

25 A call of the house shall specify the propositions to which
 26 it is to apply, and must be put into effect before roll call
 27 is taken on any such proposition. Said request may be filed
 28 with the chief clerk any time before final action upon the
 29 proposed measures. The chief clerk shall immediately, after
 30 said filing, notify the house.

31 A call of the house shall be lifted by affirmative vote
 32 of fifty-one or more members, as to the whole house or as
 33 to individual members.

34
 35

RULE 84
 METHOD OF CALLING THE HOUSE

Page 28

1 Upon the call of the house, the names of the members shall
 2 be called by the chief clerk, and the absentees noted after
 3 which the names of the absentees shall again be called, and
 4 the sergeant-at-arms be directed by the speaker to compel
 5 their attendance, unless they are previously excused. Any
 6 member occupying that person's seat during a call of the house
 7 shall be counted by the speaker and that person's name entered
 8 in the journal as being present but not voting for the purpose
 9 of making a quorum.

10
 11

RULE 85
 METHOD OF CALLING THE ROLL

12 Upon calls of the house, or in taking the ayes and nays
 13 on any question, the electrical roll call system shall be
 14 used. In the event the electrical roll call system is not
 15 in operating order when it is necessary to take a vote, the
 16 presiding officer shall order that the aye and nay votes be
 17 taken by calling the roll in alphabetical order, except that
 18 the name of the speaker of the house shall be called last.

19 During the casting of the vote with the voting machine,
 20 the individual votes and the vote totals shall be shown on
 21 the display boards. Before the voting machine is closed,
 22 the presiding officer shall inquire of the house, "Have you
 23 all voted?"

24
 25

RULE 86
 QUORUM AND DEMAND FOR AYES AND NAYS

26 A majority of the members shall constitute a quorum, and
 27 upon demand of any two members the ayes and nays shall be
 28 ordered; the names of the members demanding the ayes and nays
 29 shall be entered in the journal.

30
 31

RULE 87
 PREVIOUS QUESTION

32 When a member moves for a previous question, that member
 33 shall state whether the motion will apply to the main question,
 34 to all the amendments, or to particular amendments. The
 35 motion requires an affirmative vote of at least a

Page 29

1 constitutional majority of the members. If the motion for
2 a previous question is not adopted, the house shall proceed
3 in the same manner as before the motion was made.

4 If the motion is adopted, all debate must end and the house
5 will vote upon the question except:

6 1. If the motion applies to the main question, the member
7 in charge of the measure will have ten minutes to speak for
8 the purpose of closing discussion before the vote on the
9 measure is taken.

10 2. If the motion applies to an amendment, the member
11 proposing the amendment will have five minutes to speak for
12 the purpose of closing discussion before the vote on the
13 amendment is taken.

14 3. If a member has filed a written request with the chief
15 clerk of the house indicating his desire to speak on a
16 particular question. The request must be filed before the
17 motion is made by the movant. The request allows a member
18 to speak on a particular question before the closing discussion
19 by the member who is in charge of the measure or who is
20 proposing the amendment.

RULE 88**DIVISION OF THE QUESTION**

23 Any member may call for a division of the question, which
24 shall be divided if it comprehends questions so distinct that
25 one being taken away, the remainder may stand separately for
26 the discussion by the house. A motion to strike out being
27 lost shall not preclude either an amendment or a motion to
28 strike out and insert. A motion to strike out and insert
29 shall be deemed indivisible.

Laid over under Rule 25.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON RULES

Scheduled: 4:00 p.m., January 8, 1979

Convened: 5:00 p.m.

Adjourned: 7:50 p.m.

Present: Harbor, chair; Halvorson, vice-chair; Byerly, ranking member; Avenson, Conlon, Crabb, Husak, Lonergan, Maulsby, Menke, Patchett, Pope, Schroeder, West and Woods.

Committee Bill, a bill for an act regarding the frequency of salary and expenses payments to members, officers, and employees of the general assembly.

Recommended Do Pass.

Aye: Harbor, Halvorson, Byerly, Avenson, Conlon, Crabb, Husak, Lonergan, Maulsby, Menke, Patchett, Pope, Schroeder, West and Woods.

Nay: None.

A resolution providing for the rules of the House for the Sixty-eighth General Assembly.

Recommended Do Pass.

Aye: Harbor, Halvorson, Conlon, Crabb, Maulsby, Menke, Pope, Schroeder and West.

Nay: Byerly, Avenson, Husak, Lonergan and Patchett.

Absent or not voting: Woods.

AMENDMENTS FILED

H - 3001

H.F. 13

Bina of Scott

H - 3002

H.F. 13

Bina of Scott

On motion by Halvorson of Clayton, the House adjourned at 1:45 p.m., until 9:00 a.m., Wednesday, January 10, 1979.

JOURNAL OF THE HOUSE

Third Calendar Day — Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 10, 1979

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

Prayer was offered by the Reverend Dan Mohr, pastor of the Exira Lutheran Church, Exira, Iowa.

The Journal of Tuesday, January 9, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. F. M. Ashler, Hamburg, Iowa.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Krewson and Crawford, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for representation of the District of Columbia in the Congress:

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

House Joint Resolution 3, by Brandt and Jesse, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for representation of the District of Columbia in the Congress.

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

House File 24, by Bina, a bill for an act relating to the tort liability of governmental subdivisions.

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

House File 25, by Lind, a bill for an act requiring a food service operated in the state capitol building to use reusable plates, cups, glasses and utensils.

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

House File 26, by Bina, a bill for an act relating to first aid assistance to choking persons.

Read first time and referred to committee on **human resources**.

House File 27, by Lind, a bill for an act relating to the enforcement of regulations prohibiting the dispensing of leaded fuel into motor vehicles requiring unleaded fuel.

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

House File 28, by Bina, a bill for an act relating to platting of land.

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

House File 29, by Bina, a bill for an act to divert a portion of the sales tax revenue to the municipal assistance fund to provide financial assistance to cities and property tax relief.

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

House File 30, by Lind, a bill for an act limiting the number of calendar days the general assembly is in session.

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

House File 31, by Lind, a bill for an act relating to the prerequisites for obtaining an operator's license.

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

House File 32, by Pelton, a bill for an act prohibiting the use, possession and sale of radar detection devices, and providing exceptions and a penalty.

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

House File 33, by Bina, a bill for an act to provide cost-of-living increases for retired members of the Iowa public employees retirement system and providing an appropriation.

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

MEMBER'S OATH OF OFFICE

The following member took and subscribed to the oath of office as follows:

"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 and impartially discharge the duties of the office of Representative in the General Assembly of the State of Iowa to the best of my ability, so help me God."

Michael W. Connolly

HOUSE CONCURRENT RESOLUTION 2

By Hansen of O'Brien

- 1 *Whereas*, the governor is the commander in chief of
- 2 the state; and
- 3 *Whereas*, in the history of our nation and state,
- 4 there have been heroic Iowans, civilians as well as
- 5 military personnel, who have served their community,
- 6 state and nation far beyond the call of duty; and
- 7 *Whereas*, Iowa does not presently have a suitable
- 8 decoration to honor such heroic Iowans; and
- 9 *Whereas*, most of the fifty states have such
- 10 appropriate decorations which are on display in the
- 11 Memorial Amphitheatre at the Arlington National
- 12 Cemetery and in other national or state archives;
- 13 and
- 14 *Whereas*, various state veterans' organizations have
- 15 volunteered to fund the cost of such a decoration;
- 16 *Now Therefore*,
- 17 *Be It Resolved by the House of Representatives, the*
- 18 *Senate Concurring*, That the governor as commander in
- 19 chief, is urged to establish an Iowa Medal of Valor,
- 20 to present in the name of the State of Iowa. The
- 21 medal should be of suitable design, as determined by
- 22 the governor. It is urged that the medal be sparingly
- 23 awarded by the governor to those Iowa civilians and
- 24 Iowa military personnel who have performed valorous

25 or meritorious service which reflects honorably and
26 creditably on the state of Iowa, comparable to the
27 service rendered in earning the Congressional Medal
28 of Honor. It is urged that the method of awarding
29 the medal allow the local commanders of the state's
30 veterans' organizations to recommend to their state

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1 commanders names of potential recipients, with the
2 state commanders' recommendations to the state
3 veterans council which would make nonbinding recom-
4 mendations to the governor. It is further urged that
5 the first recipients of the Iowa Medal of Valor be
6 those Iowans who have received the Congressional Medal
7 of Honor.

Laid over under Rule 25.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 1 Agriculture

Relating to the rate of the fee upon turkeys delivered for processing.

S.B. 2 Agriculture

Relating to the licensing and regulation of the sale of eggs.

S.B. 3 Agriculture

Relating to infectious and contagious diseases in swine.

S.B. 4 Agriculture

Relating to the administration of the Bankhead-Jones Farm Tenant Act.

S.B. 5 State Government

Relating to an amendment to the Constitution of the State of Iowa relating to rights of persons.

S.B. 6 County Government

To create a special study committee on county statutes and joint county-municipal corporation government, and to make an appropriation.

S.B. 7 Commerce

Relating to civil liability for losses caused by real and personal property and the use thereof.

S.B. 8 Judiciary and Law Enforcement

Making a technical correction to the chapter on termination of parental rights.

S.B. 9 Judiciary and Law Enforcement

Relating to terms of membership on the board of parole.

S.B. 10 Judiciary and Law Enforcement

Relating to a system for settlement of personal property claims of inmates in the women's reformatory and the men's reformatory and penitentiary, and appropriating funds to establish the system.

S.B. 11 Judiciary and Law Enforcement

To establish fees for private process servers.

S.B. 12 Judiciary and Law Enforcement

Relating to the share of the surviving spouse in intestate property.

S.B. 13 Commerce

Relating to drafts drawn upon credit unions.

S.B. 14 Commerce

Relating to the purchase by the risk management division of insurance for the board of regents.

AMENDMENTS FILED

H-3003	H.F. 13	Bina of Scott Cusack of Scott Arnould of Scott Norland of Worth Lloyd-Jones of Johnson Brandt of Black Hawk
H-3004	H.R. 3	Schroeder of Pottawattamie
H-3005	H.R. 3	Walter of Pottawattamie Pelton of Clinton
H-3006	H.R. 3	Walter of Pottawattamie
H-3007	H.R. 3	Spear of Lee
H-3008	H.R. 3	Jochum of Dubuque
H-3009	H.R. 3	Jochum of Dubuque
H-3010	H.R. 3	Jochum of Dubuque
H-3011	H.R. 3	Arnould of Scott
H-3012	H.R. 3	Rapp of Black Hawk
H-3013	H.R. 3	Arnould of Scott
H-3014	H.R. 3	Rapp of Black Hawk
H-3015	H.R. 3	Connolly of Dubuque
H-3016	H.R. 3	Halvorson of Clayton Harbor of Mills
H-3017	H.R. 3	Halvorson of Clayton Harbor of Mills
H-3018	H.R. 3	Connolly of Dubuque
H-3019	H.R. 3	Jochum of Dubuque
H-3020	H.R. 3	Spear of Lee
H-3021	H.R. 3	Halvorson of Clayton Harbor of Mills

On motion by Halvorson of Clayton the House adjourned at 9:13 a.m., until 9:00 a.m., Thursday, January 11, 1979.

JOURNAL OF THE HOUSE

Fourth Calendar Day—Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 11, 1979

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

Prayer was offered by the Reverend Stan Vander Sall, pastor of the Meredith Drive Reformed Church, Des Moines, Iowa.

The Journal of Wednesday, January 10, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton, Iowa.

PETITION FILED

The following petition was received and placed on file:

By Branstad of Winnebago from sixty-eight constituents favoring legislation allowing credit unions to continue share drafts.

SPECIAL PRESENTATION

Speaker Millen presented Ben Owens, Editor of the Mohawk Press, Mason City, Iowa. Ben has been present in the House this week representing his high school during the House "press week."

Mr. Owens addressed the House briefly.

INTRODUCTION OF BILLS

House File 34, by Schneklath, a bill for an act relating to the method of establishing the population of cities, and prescribing a procedure by which cities may obtain recognition of unusually rapid population growth for the purpose of allocation of certain state funds.

Read first time and referred to committee on cities.

House File 35, by Evans, a bill for an act providing for an assessment on grain purchased by warehouses if approved by a referendum of grain producers and designating the net proceeds for railroad branch line improvement.

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

House File 36, by Bina, a bill for an act authorizing cities and counties to impose local sales, services and use taxes, appropriating the proceeds, providing property tax relief, and making the taxes subject to applicable provisions of the Code, including penalties.

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

House File 37, by Brandt, a bill for an act requiring teachers to complete an approved human relations program.

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

House File 38, by Brandt, a bill for an act to establish uniform regions to facilitate the delivery of services to state residents and citizens.

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

House File 39, by Bina, a bill for an act relating to property tax exemptions for property in revitalization areas of a city on which improvements have been made and authorizing cities to issue revenue bonds for revitalization areas and urban renewal areas.

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

House File 40, by Lind, a bill for an act relating to education providing for a prohibition for the use of state funds to support guidance and counseling services in schools and requiring that all classes, except foreign language classes, must be taught in English.

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

House File 41, by Bina, a bill for an act creating the Iowa solid waste recycling authority, prescribing its powers and duties and providing for the financing of recycling facilities by the authority.

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

House File 42, by Lind, a bill for an act to prohibit the recording of speeding tickets for certain violations fifteen miles per hour or less over the posted limit, subject to a penalty provided by law.

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

House File 43, by Schnekloth, a bill for an act to require the review and approval of county contracts by the county attorney.

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

APPOINTMENT TO ADMINISTRATIVE RULES REVIEW COMMITTEE

The Speaker announced the appointment of Representative Betty Jean Clark of Cerro Gordo County to the Administrative Rules Review Committee to fill an unexpired term ending April 30, 1979.

MEMBER'S OATH OF OFFICE

The following member took and subscribed to the oath of office as follows:

"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 and impartially discharge the duties of the office of Representative in the General Assembly of the State of Iowa to the best of my ability, so help me God."

Ned F. Chiodo

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

PRESENTATION OF VISITOR

Byerly of Polk presented to the House the Honorable

Carl V. Nielsen, former member of the House and Speaker pro tempore from Polk County.

On motion by Halvorson of Clayton, the House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

CONSIDERATION OF BILL Regular Calendar

House File 23, a bill for an act regarding the frequency of salary and expenses payments to members, officers, and employees of the general assembly, was taken up for consideration.

Harbor of Mills 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. 23)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Maulsby	McKean
Menke	Mullins	O'Kane	Oxley
Patchett	Pavich	Pellet	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Brandt	Crabb	Doyle	Egenes
Halvorson, R.N.	Holt	Hullinger	Jesse
Lura	Miller	Norland	Rapp
Schroeder	Smalley		

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

CONSIDERATION OF HOUSE RESOLUTION 3

Halvorson of Clayton called up for consideration House Resolution 3, relating to the rules of the House for the Sixty-eighth General Assembly, filed on January 9, 1979 and found on pages 63 through 84 of the House Journal.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

IMMEDIATE MESSAGE (House File 23)

Halvorson of Clayton asked and received unanimous consent to immediately message House File 23 to the Senate.

REREFERRED TO COMMITTEE ON RULES (House Resolution 3)

Halvorson of Clayton asked and received unanimous consent to rerefer House Resolution 3 to the committee on rules.

RULE 50.7 SUSPENDED

Halvorson of Clayton moved to suspend House rule 50.7 for a committee on rules meeting.

A non-record roll call was requested.

The ayes were 56, nays 36.

The motion prevailed and the rules were suspended.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 15 Labor and Industrial Relations

To provide a contribution rate for unemployment compensation benefits for contributing governmental employers.

S.B. 16 Labor and Industrial Relations

Relating to age discrimination including the maximum age of employment in certain occupations and in pension plans.

REPORTS OF COMMITTEE MEETINGS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following reports of committee meetings have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

Scheduled: 9:15 a.m., January 10, 1979

Convened: 9:25 a.m.

Adjourned: 10:10 a.m.

Present: Schroeder, chair; Conlon, vice-chair; Bina, Bruner, Crabb, Dieleman, Egenes, Evans, Hibbs, Johnson of Linn, Pelton, Pope, Rapp, Shull, Swearingen, Walter and Woods.

Absent: Chiodo, ranking member; Jesse and Jochum.

Excused: Ritsema.

Organizational meeting and adopted rules for committee.

COMMITTEE ON HUMAN RESOURCES

Scheduled: 9:15 a.m., January 10, 1979

Convened: 9:25 a.m.

Adjourned: 10:00 a.m.

Present: Clark, chair; Mullins, vice-chair; Lonergan, ranking member; Arnould, Bennett, Connors, Cusack, Daggett, De Groot, Hoffman, Horn, Husak, Kirkenslager, Krewson, Lind, Maulsby, Poffenberger, Sherzan, Shimanek and Spear.

Absent: Miller.

Organizational meeting.

COMMITTEE ON NATURAL RESOURCES

Scheduled: 9:15 a.m., January 10, 1979

Convened: 9:20 a.m.

Adjourned: 9:55 a.m.

Present: Smalley, chair; Holt, vice-chair; Perkins, ranking member; Cochran, Groth, Hall, Hummel, Jay, Johnson of Howard, Johnson of Woodbury, Larsen, Lloyd-Jones, McKean, Menke, O'Kane, Pellett, Tofte, Tyrrell, Van Maanen and Welsh.

Absent: Byerly.

Organizational meeting.

COMMITTEE ON CITIES

Scheduled: 10:00 a.m., January 10, 1979

Convened: 10:15 a.m.

Adjourned: 10:45 a.m.

Present: Krewson, chair; Johnson of Linn, vice-chair; Bina, ranking member; Brandt, Clark of Lee, Connors, Crabb, Danker, Diemer, Groth, Hall, Halvorson of Webster, Hanson of Delaware, Larsen, Lind, Lorenzen, O'Kane, Pavich, Poffenberger, Spear, Tyrrell, Wells and West.

Organizational meeting.

COMMITTEE ON TRANSPORTATION

Scheduled: 10:00 a.m., January 10, 1979

Convened: 10:15 a.m.

Adjourned: 11:25 a.m.

Present: Egenes, chair; Kirkenslager, vice-chair; Woods, ranking member; Bennett, Binneboese, Daggett, Davitt, Gettings, Hinkhouse, Hoffmann, Hullinger, Lageschulte, Jay, McKean, Menke, Oxley, Pellett, Schnekloth, Schroeder and Tofte.

Absent: Miller.

Organizational meeting.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 10:15 a.m., January 10, 1979

Convened: 10:15 a.m.

Adjourned: 11:15 a.m.

Present: Shimanek, chair; Patchett, ranking member; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Johnson of Howard, Jones, Lonergan, Maulsby, Pelton, Rapp, Smalley, Walter and Welsh.

Absent: Jesse.

Excused: Ritsema, vice chair.

Organizational meeting.

COMMITTEE ON WAYS AND MEANS

Scheduled: 11:10 a.m., January 10, 1979

Convened: 11:10 a.m.

Adjourned: 12:00 Noon

Present: West, chair; Schnekloth, vice-chair; Norland, ranking member; Anderson of Jasper, Bennett, Brandt, Branstad, Clark of Lee, Cochran, Conlon, Connolly, Daggett, Davitt, Diemer, Evans, Hall, Hanson of Delaware, Howell, Hummel, Husak, Lageschulte, Lorenzen, Lura, Oxley, Pavich, Pope, Shull and Thompson.

Absent: Chiodo, Harbor and Jochum.

Organizational meeting and assigned H.F. 13 to Subcommittee.

COMMITTEE ON ENERGY

Scheduled: 1:30 p.m., January 10, 1979

Convened: 1:35 p.m.

Adjourned: 1:52 p.m.

Present: Evans, chair; Pelton, vice-chair; Howell, ranking member; Binneboese, Bruner, Cusack, Danker, De Groot, Doyle, Hullinger, Krewson, Lind, McKean, Mullins, O'Kane, Pellett, Poffenberger, Rapp, Ritsema, Sherzan, Smalley and Van Maanen.

Absent: Pelton arrived at 1:40 p.m.; Rapp arrived at 1:37 p.m.

Organizational meeting.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Scheduled: 1:30 p.m., January 10, 1979

Convened: 1:35 p.m.

Adjourned: 2:15 p.m.

Present: Crabb, chair; Pope, vice-chair; Connors, ranking member; Conlon, Connolly, Corey, Egenes, Gettings, Holt, Horn, Jochum, Kirkenlager, Lorensen, Menke, Pavich, Thompson, Tofte, Welden and Wells.

Absent: Byerly.

Organizational meeting and assigned House File 10, Study Bill 15 and Study Bill 16 to subcommittees.

COMMITTEE ON STATE GOVERNMENT

Scheduled: 1:30 p.m., January 10, 1979

Convened: 1:30 p.m.

Adjourned: 2:00 p.m.

Present: Crawford, chair; Hibbs, vice-chair; Brandt, ranking member; Anderson of Audubon, Arnould, Branstad, Bina, Dieleman, Halvorson of Webster, Hansen of O'Brien, Hinkhouse, Hoffmann, Johnson of Woodbury, Lageschulte, Lloyd-Jones, Lura, Shimanek, Stromer, Swearingen, Walter and Woods.

Absent: Stromer arrived at 1:40 p.m.

Organizational meeting.

COMMITTEE ON AGRICULTURE

Scheduled: 2:30 p.m., January 10, 1979

Convened: 2:35 p.m.

Adjourned: 3:25 p.m.

Present: Pellett, chair; Hummel, vice-chair; Hinkhouse, ranking member; Anderson of Audubon, Anderson of Jasper, Bennett, Cochran, Corey, Crabb, Davitt, De Groot, Halvorson of Webster, Harbor, Husak, Mullins, Schroeder, Sherzan, Tyrrell and Van Maanen.

Absent: Byerly and Chiodo.

Organizational meeting and assignment of study bills 1, 2, 3 and 4. Presentation by the Iowa Pork Producers and Cattlemen's Association.

COMMITTEE ON COUNTY GOVERNMENT

Scheduled: 2:30 p.m., January 10, 1979

Convened: 2:30 p.m.

Adjourned: 3:15 p.m.

Present: Danker, chair; Clark of Lee, vice-chair; Binneboese, ranking member; Branstad, Bruner, Clark of Cerro Gordo, Connolly, Dieleman, Doyle, Gettings, Hanson of Delaware, Howell, Hullinger, Johnson of Howard, Johnson of Linn, Lageschulte, Oxley, Schnekloth, Shull, Smalley, Swearingen, Tofte and Welsh.

Organizational meeting and assigned study bill 6 to subcommittee.

COMMITTEE ON EDUCATION

Scheduled: 2:30 p.m., January 10, 1979

Convened: 2:35 p.m.

Adjourned: 3:10 p.m.

Present: Stromer, chair; Thompson, vice-chair; Horn, ranking member; Crawford, Daggett, Diemer, Groth, Hansen of O'Brien, Jay, Johnson of Woodbury, Krewson, Lonergan, Larsen, Lura, Maulsby, Menke, Norland, Patchett, Perkins, Spear and Wells.

Organizational meeting and adopted committee rules.

COMMITTEE ON APROPRIATIONS

Scheduled: 3:30 p.m., January 10, 1979

Convened: 3:35 p.m.

Adjourned: 4:15 p.m.

Present: Welden, chair; Evans, vice-chair; Cusack, ranking member; Anderson of Jasper, Crawford, Halvorson of Clayton, Harbor, Stromer and West.

Absent: Byerly and Jesse.

Excused: Hansen of O'Brien and Miller.

Organizational meeting.

COMMITTEE ON ETHICS

Scheduled: 3:30 p.m., January 10, 1979

Convened: 3:45 p.m.

Adjourned: 4:15 p.m.

Present: Lind, chair; Arnould, ranking member; Hansen of O'Brien, Howell and Poffenberger.

Organizational meeting.

AMENDMENTS FILED

H-3022	H.R. 3	Cusack of Scott
H-3023	H.R. 3	Cusack of Scott
H-3024	H.R. 3	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3025	H.R. 3	Perkins of Greene Bina of Scott
H-3026	H.R. 3	Perkins of Greene
H-3027	H.R. 3	Chiodo of Polk
H-3028	H.R. 3	Brandt of Black Hawk
H-3029	H.R. 3	Perkins of Greene Bina of Scott
H-3030	H.R. 3	Pavich of Pottawattamie
H-3031	H.R. 3	Avenson of Fayette Cusack of Scott Davitt of Warren Anderson of Jasper
H-3032	H.R. 3	Avenson of Fayette Anderson of Jasper

		Cusack of Scott
		Davitt of Warren
H-3033	H.R. 3	Chiodo of Polk
H-3034	H.R. 3	Bina of Scott
H-3035	H.R. 3	Jochum of Dubuque
		Bina of Scott
H-3036	H.R. 3	Woods of Polk
		Bina of Scott
H-3037	H.R. 3	Bina of Scott
H-3038	H.R. 3	Spear of Lee
H-3039	H.R. 3	Avenson of Fayette
		Anderson of Jasper
H-3040	H.R. 3	Horn of Linn
H-3041	H.R. 3	Lloyd-Jones of Johnson
		O'Kane of Woodbury
		Welsh of Dubuque
		Arnould of Scott
		Cusack of Scott
		Binneboese of Plymouth
		Sherzan of Polk
		Bina of Scott
		Patchett of Johnson
H-3042	H.R. 3	Perkins of Greene
		Connors of Polk
H-3043	H.R. 3	Patchett of Johnson
		Walter of Pottawattamie
		Perkins of Greene
H-3044	H.R. 3	Patchett of Johnson
		Norland of Worth
		Perkins of Greene
H-3045	H.R. 3	Byerly of Polk
H-3046	H.R. 3	Avenson of Fayette
H-3047	H.R. 3	Cusack of Scott
H-3048	H.R. 3	Patchett of Johnson
		Walter of Pottawattamie
		Norland of Worth
H-3049	H.R. 3	Byerly of Polk
		Pavich of Pottawattamie
H-3050	H.R. 3	Byerly of Polk
H-3051	H.R. 3	Loneragan of Boone
H-3052	H.R. 3	Sherzan of Polk

H-3053	H.R. 3	Schroeder of Pottawattamie Smalley of Polk
H-3054	H.R. 3	Perkins of Greene Wells of Linn Byerly of Polk
H-3055	H.R. 3	Stromer of Hancock Hanson of Delaware
H-3056	H.R. 3	Byerly of Polk
H-3057	H.R. 3	Cusack of Scott

On motion by Halvorson of Clayton the House adjourned at 5:20 p.m., until 9:45 a.m., Friday, January 12, 1979, at the South Tiffany Room, Veterans' Auditorium.

JOURNAL OF THE HOUSE

Fifth Calendar Day—Fifth Session Day

Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 12, 1979

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

Prayer was offered by the Honorable Horace Daggett, state representative from Taylor County.

The Journal of Thursday, January 11, 1979 was approved.

COMMITTEE TO NOTIFY THE SENATE

Shimanek of Jones 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 Shimanek of Jones, Chiodo of Polk and Hibbs of Johnson.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Shimanek of Jones, chair 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 with members of the House.

JOINT CONVENTION

The joint convention reconvened, President Neu presiding.

Senator Hultman 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.

CANVASS OF VOTES

President Neu announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 7, 1978, and announced as teller, on the part of the Senate, Senator Holden of Scott, and assistant tellers Senators Brown of Poweshiek and Kudart of Linn, and as teller, on the part of the House, Representative Schroeder of Pottawattamie, and assistant tellers Representatives West of Marshall and Perkins of Greene.

President Neu further announced that, in accordance with statute, the six tellers just named would constitute the judges of said canvass.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 7, 1978.

The report of canvass of the vote was read by the Secretary of the joint convention as follows:

MR. PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 7, 1978, beg leave to make the following report of the total vote cast for Governor:

Robert D. Ray	491,713
Jerome D. Fitzgerald	345,519
John H. Ball	3,947
Joseph W. Grant	1,935
Scattering	76

And the total vote cast for Lieutenant Governor at the election, held November 7, 1978:

Terry Branstad	451,928
William D. Palmer	330,817
Scattering	1,936

All of which is most respectfully submitted.

EDGAR H. HOLDEN
Teller of the Senate
LAVERNE SCHROEDER
Teller of the House
DAVID L. WRAY
Secretary of the Joint Convention

A. R. KUDART
GEORGE R. KINLEY
JAMES C. WEST
CARROLL T. PERKINS
Assistant Tellers

Senator Holden of Scott moved that the report be adopted.

The motion prevailed and the report was adopted.

President Neu of the joint convention announced that the Honorable Robert D. Ray, having received the highest number of votes cast for Governor at the last general election, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified and that the Honorable Terry E. Branstad, having received the highest number of votes cast for Lieutenant Governor at the last general election, was duly elected to the office of Lieutenant Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

Greeting:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Sixty-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 1978 for the office of Governor of the State of Iowa, it appeared that Robert D. Ray received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this twelfth day of January, A.D., 1979.

FLOYD H. MILLEN
Speaker of the House
EDGAR H. HOLDEN
Teller of the Senate
LAVERNE SCHROEDER
Teller of the House
DAVID L. WRAY
Clerk of the House and
Secretary of the Joint Convention

ARTHUR A. NEU
President of the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

Greeting:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Sixty-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 7, 1978, for the office of Lieutenant Governor of the State of Iowa, it appeared that Terry E. Branstad received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until his successor is duly elected and qualified.

Signed in the presence of the Joint Convention this twelfth day of January, A.D., 1979.

FLOYD H. MILLEN
Speaker of the House
EDGAR H. HOLDEN
Teller of the Senate
LAVERNE SCHROEDER
Teller of the House
DAVID L. WRAY
Clerk of the House and
Secretary of the Joint Convention

ARTHUR A. NEU
President of the Joint Convention

President Neu then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Comito of Black Hawk moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad of the official result of the canvass of votes.

The motion prevailed and President Neu named as such committee Senators Comito of Black Hawk, Goodwin of Clinton and Miller of Des Moines, on the part of the Senate, and Representatives Smalley of Polk, Bennett of Ida and Spear of Lee, on the part of the House.

REPORT OF COMMITTEE

Senator Comito of Black Hawk, from the joint committee appointed to notify Robert D. Ray and Terry E. Branstad of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

MR. PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Robert D. Ray and the Honorable Terry E. Branstad of their election to the office of Governor and Lieutentat Governor of Iowa, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected. ✓

Respectfully submitted,

RICHARD COMITO
NORMAN J. GOODWIN
CHARLES P. MILLER

DOUGLAS R. SMALLEY
WAYNE BENNETT
CLAY SPEAR

The motion prevailed and the report was adopted.

The joint convention stood at ease and proceeded to the Auditorium for the inauguration of Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad.

The joint convention resumed session in the Auditorium, President Neu presiding.

The families of Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad were escorted to their seats.

The Sergeant-at-Arms announced the arrival of Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad.

Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad were escorted to the rostrum by the inaugural committee consisting of Senators Carney of Woodbury, Coleman of Webster, Scott of Pocahontas, Miller of Marshall, Taylor of Hardin and Yenger of Wapello, on the part of the Senate; and Represen-

tatives Davitt of Warren, Cochran of Webster, Lind of Black Hawk, Schnekloth of Scott, Stromer of Hancock and Tofte of Winneshiek, on the part of the House.

The colors were advanced by the Cadets of the Military Academy, Iowa National Guard.

The National Anthem was sung by Marilyn Maye.

The invocation was delivered by the Reverend Bobbi Gatz, pastor of the Cumberland-Massena-Bridgewater Christian Church, Bridgewater, Iowa.

The oath of office was administered to Lieutenant Governor-elect Terry E. Branstad by Chief Justice W. W. Reynoldson of the Supreme Court of Iowa, assisted by Mrs. Chris Branstad.

President Neu presented Lieutenant Governor Terry E. Branstad.

Lieutenant Governor Branstad thanked President Neu for his dedication, service and help.

The oath of office was administered to Governor-elect Robert D. Ray by Chief Justice W. W. Reynoldson of the Supreme Court of Iowa, assisted by Mrs. Billie Ray.

Lieutenant Governor Terry E. Branstad, President of the Senate, presiding, presented Governor Robert D. Ray, who delivered the following inaugural address:

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices of the Supreme Court and Members of the Appellate Court, State Officials, Legislators and Guests and Friends:

We are beginning a full day of Inaugural activities. Our state officials and I will host an open house at the State Capitol this afternoon...and the Inaugural Ball will be here at Veterans Auditorium this evening.

I hope all of you will share in one or both of these special functions. By the way, I might remind you that we decided not to use tax dollars for the Inauguration, so there will be a five dollar charge for the Ball. Of course, there was no charge to come here this morning to witness the swearing-in ceremonies and then listen to my remarks. I just hope that when you leave, at least you will feel you got your money's worth...

This noon I want to visit with you for a few moments about Iowa — who we are and where we are going. This is not a speech full of specifics and details. You heard some

Tuesday during my Condition of the State report, and you will hear more next Thursday in my Budget Message.

I stand before you not as a Governor who has served four terms, but as a Governor starting a new term. And to our new Chief Justice Reynoldson, thank you for helping me begin this term by smoothly offering the oath of office. It's taken me five Inaugurations to feel as calm and collected as you are at your first...

I have said many times in the past couple of days that I am excited about this new term. I am excited about the new legislative session and the program I offered Tuesday. And, I'm excited about this day of Inauguration which is always a special time when our Iowans can sense a little more closeness to their government.

We are Iowans.

We are here by birth...or by choice...for many of us, by both.

Most of us are really happy to express our affection for this state. We owe it much. We believe in it.

We are a community of people—an Iowa community with a knack for showing America how to solve problems. Remember the emergency fuel oil pool during the first energy crunch. Look at railroad branch-line assistance. Consider cost-sharing soil conservation...tuition grants...and early limits on taxation.

These are good examples of state government "success stories." These are good reasons why Iowa is a national leader!

The credit for our progress, and also our stability, cannot be attributed to government alone.

This state has a rich heritage—not because of government alone, but because of generations of Iowans who have cherished the opportunity to live here and to prosper here.

This state is noted for excellence in education—not because of government alone, but because of teachers and students who share an appreciation for the value of knowledge.

This state is an agricultural pace-setter—not because of government alone, but because of hard-working farmers who know how to get the most out of their soil.

This state has strong industry—not because of government alone, but because of farsighted business captains who provide jobs, and hundreds of thousands of highly skilled and dependable workers who fill them.

This state has a good environment—not because of government alone, but because of Iowans who respect our resources.

When you think about it, this state has an extraordinary "Quality of Life"—not because of government alone, but because of an array of institutions finding and

showing us ways to improve: churches and communities, the press, civic, educational, and fraternal organizations, not to mention so many spirited, talented individuals.

One of the best things about being Governor is the opportunity I have to meet with lots of warm and enthusiastic Iowans of all ages. And in the process, one can actually see and feel what makes this state come alive — what gives Iowa its vitality.

It was John Gardner who said, "Some people strengthen the society by being the kind of people they are..."

Those special kinds of people are all around us in Iowa... You see them participating in our Community Betterment Program which last year had a record number of entries. You see our farmers working with the Development Commission on the "Fine Iowa Meats" program and selling millions of pounds of Iowa meat. You see those in private enterprise stepping out and experimenting with the sale of gasohol. And you see volunteers donating 200,000 hours of their time helping residents of our mental health institutes and hospital-schools.

Along with others, these people and their accomplishments, are reasons why this state is as good as it is. Is it any wonder then, that only one percent of our Iowans tell us by poll that they would rather live somewhere else? I defy you to find a state with a stronger public endorsement for a way of life.

Because of our people, we have made progress. Yet, obstacles remain. Perhaps the biggest is the trouble so many of us have in really understanding how mutually dependent we are upon each other.

And we are going to need one another as we conclude this decade and confront the big challenges ahead in the new decade of the eighties.

We, like all Americans, are concerned about inflation. The dwindling value of our dollars disheartens us every time we go to the grocery store or the shopping mall or the automobile showroom. If we could lick inflation by ourselves here in Iowa, we would all be national heroes. We cannot. But we can do our part. Steps such as those I outlined Tuesday to make government more efficient will help.

And, to prompt even further efficiency in Iowa state government, I am today announcing the creation of the Second Governor's Economy Committee.

You'll recall the great achievements of the Governor's Economy Committee of 1969 and 1970. That group made over three hundred recommendations for efficiency. Most were implemented, and they saved taxpayers millions of dollars and helped to make government work better.

As I start this new term, I will be appointing a blue-ribbon group of volunteer management experts to take a new look at state government — from top to bottom. We will be putting the Economy Committee together shortly, with the anticipation it will begin work by spring.

This Second Governor's Economy Committee can give us guidance for good government in the eighties and again save tax dollars!

The decade just ahead will see us coping and grappling with other issues — none of which promises to be simple or easy. Let's preview some of them:

- **ECONOMIC** growth and how to maintain it will challenge us in the eighties. The package of job incentive ideas I have introduced Tuesday will offer new work opportunities to Iowans, and it will keep our state moving forward.
- **EXPORT EXPANSION** and the potential for marketing and selling Iowa's farm products and manufactured goods around the nation and the world will challenge us in the eighties. The possibility of a trade mission to the People's Republic of China, which Jim Leach has been helping us on, and an aggressive "sell Iowa" campaign by state government, commodity groups, and business leaders can bring income to Iowa, and keep our state moving forward.
- **ELDERLY** Iowans will increase their numbers by eleven percent, and finding ways to aid their health and well-being will challenge us in the eighties. Our new Eldercare program and a pilot "Golden Iowans" effort, on which we are working with Chuck Grassley, promise real benefits for our senior Iowans, and will keep our state moving forward.
- **EDUCATION** and how to square rising costs with declining enrollments will challenge us in the eighties. Our School Foundation Plan has worked well and the refined approaches I'll release in my Budget Message will give young Iowans a solid education, and will keep our state moving forward.
- **ENERGY** supplies will become more scarce, and finding ways to maintain energy security will challenge us in the eighties. Our emphasis on energy conservation and new initiatives for solar development will help meet Iowa's energy demands, and will keep our state moving forward.
- **ENVIRONMENTAL** protection is a must, and keeping our air clean and our water pure will challenge us in the eighties. The "bottle and can" bill and "The Great Iowa Clean-up" on May 5 promise a fresh beginning for the new decade, and will keep our state moving forward.

Iowa ranks twenty-fifth in size and twenty-fifth in population. We are, geographically, in the middle of America. With our values, traditions and customs, we are middle America. We are neither radical nor provincial. Thus, we are a manageable statewide laboratory for progress.

As Iowa programs work for the economy and jobs, export expansion for agriculture and industry, elderly needs, education, energy and the environment, the nation will be watching us. And, we will be charting our own progress in enhancing opportunities for women and minorities.

Truly, while we have accomplished much, there is much yet to accomplish as we fashion "Future Iowa" for the eighties and the years and decades beyond, into the twenty-first century.

It was some twenty centuries ago, around the time of Christ, when the philosopher Seneca said, "...When a man does not know what harbor he is making for, no wind is the right wind..."

Here in Iowa we try always to know what "harbor" we are making for. We have pride in the good planning done by our farmers as they prepare to plant their crops. Industry also carefully plans its goals for production and sales.

And, in government, we are constantly planning. We try to learn what our citizens expect of government...what they want government to do, and what they don't want government to do. We listen—and we plan accordingly.

We strive for that delicate balance which, on the one hand, provides service to people while, on the other hand, protects them from unduly high costs.

In Iowa we have had success doing that. Government works and works well. Iowa government is open. Iowa government is both modern and modest when compared with most other states.

I want to share some of my thoughts on the role and purpose of government and explain why this is so.

1. People are entitled to honest, efficient and understandable government at the lowest possible cost.
2. It is government's proper mission, indeed our principle mission, to identify peoples' priorities and to work with people for their benefit, not government's.
3. Government should not fulfill, for the most part, those functions which can be better or more economically performed by individuals or the private sector.
4. The promise of progress demands innovation, creativity, and yes, even a little risk, and to have that, government must preserve some flexibility.
5. Taxpayers can rightfully expect a full measure of performance from government and its employees; those workers can also justly expect equitable compensation and recognition.
6. Every citizen should appreciate that democracy demands participation, and that qualified adults should register, vote and share their views on contemporary issues.

I have attempted to affirm, apply and advance those principles during the ten years in which I have held this office.

I have had a lot of help. And, once again, I want to publicly thank Art Neu for his loyalty and for the leadership he has exerted in his own right. Art, we appreciate your experience and expertise. You have added to the dimension of the Office of Lieutenant Governor; Iowa government and its people are better because of your service.

With Art taking "early retirement" at the age of forty-five, we now have a new Lieutenant Governor. I know this is an exciting day for Terry and Chris Branstad, and it should be. Terry, you impressed all of us with your hard work to win this office. And now, you will be impressing us with your good work in the Office of Lieutenant Governor, for which you are so well qualified. And, I just want you to know again that I am looking forward to working well with you.

Congratulations to Roger Jepsen on becoming our new United States Senator and to Tom Tauke for being our new Representative in Congress.

Last year I was fortunate to have so many Iowans support me with their voices during the campaign, and with their votes on Election Day.

An expression of thanks, while appropriate, seems also very inadequate. I can only tell you how happy I am that so many of you—long-time friends, new friends, and, hopefully, future friends—are here with us—Billie, Randi, Lu Ann, Vicki, my Mother, my Mother-in-law and me—on this special Inaugural Day.

To those Iowans who voted for me, to those who didn't vote for me, to those who didn't vote, and to those who couldn't vote, I begin this new term with a request for your help.

I also begin this new term with optimism for our Iowa community and with trust and confidence in our Iowans.

I hope you will share that optimism with me, and that you, too, will find that your faith in each other as Iowans is well placed. Sometimes, we will be disappointed. But, without that faith, we will not progress very far.

To achieve greater understanding and trust and appreciation in our Iowa community is not only an end in itself, it is the key to major progress.

To you who are just beginning your work as legislators, and to all of us who join today in this celebration of a free and open government, I say to you: to build the best possible Iowa community is a goal worthy of everything any of us can give it. To say this is easy. To do this is not so easy.

The German poet Goethe once wrote, "Let everyone sweep in front of his own door, and the whole world will be clean..." As I have said so often, if each of us does his or her part and his or her job a little better, we can build that "Future Iowa" we want..

We cannot ignore, nor shall we, national or international problems and needs.

But this particular area of the nation we call Iowa is our special responsibility.

And, if we don't work for it...if we don't care for it, surely no one else will. If we

can create something noble and lasting, it will serve as an antidote for cynicism. And, it will serve as an inspiration to other people, in other places, and in other times.

We should work and act and speak as if each of us—those of us in government and those of you who are not—as if each one of us has an important role to play in this common enterprise.

Because we do.

Thank you very much.

President pro-tempore Hansen in the chair.

The benediction was offered by Reverend Eugene Williams, pastor of Faith Temple Baptist Church, Waterloo, Iowa.

Governor Robert D. Ray and Lieutenant Governor Terry E. Branstad were escorted from the rostrum by the committee previously appointed.

Senator Hultman of Montgomery moved that the reading of the minutes of the joint convention be dispensed with.

The motion prevailed.

Halvorson of Clayton moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Millen in the chair.

HOUSE RESOLUTION 4

By Bruner

- 1 *Whereas*, Dick Clark has served for six years as
- 2 an able and vigorous senator from the state of Iowa;
- 3 and
- 4 *Whereas*, Dick Clark has been nationally recognized
- 5 as an expert on United States foreign policy; and
- 6 *Whereas*, Dick Clark has been a leader in sponsor-
- 7 ing and fighting for legislation for the Iowa farmer;
- 8 and
- 9 *Whereas*, Dick Clark, in his conduct as a senator,
- 10 has exhibited his concern for all Iowans as well as
- 11 farmers, laborers and the elderly; *Now Therefore*,
- 12 *Be It Resolved by the House of Representatives*,

- 13 That Senator Dick Clark be commended for his service
14 to the people of Iowa.

Laid over under Rule 25.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 1

State Government: Hansen of O'Brien, Chair; Branstad and Walter.

House File 4

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House File 5

State Government: Stromer, Chair; Anderson of Audubon and Halvorson of Webster.

House File 13

Ways and Means: West, Chair; Clark of Lee, Hall, Lorenzen, Norland, Pavich and Pope.

House File 18

State Government: Shimanek, Chair; Johnson of Woodbury and Lloyd-Jones.

House File 19

State Government: Crawford, Chair; Arnould, Branstad, Hibbs and Walter.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 1

Agriculture: Tyrrell, Chair; Mullins and Cochran.

Study Bill 2

Agriculture: De Goot, Chair; Corey and Anderson of Jasper.

Study Bill 3

Agriculture: Hummel, Chair; Van Maanen and Davitt.

Study Bill 4

Agriculture: Anderson of Audubon, Chair; Bennett and Husak.

Study Bill 5

State Government: Shimanek, Chair; Halvorson of Webster and Lageschulte.

Study Bill 6

County Government: Danker, Chair; Clark of Lee, Hullinger, Oxley and Schnekloth.

Study Bill 9

Judiciary and Law Enforcement: Hibbs, Chair; Anderson of Audubon and Rapp.

Study Bill 10

Judiciary and Law Enforcement: Ritsema, Chair; Doyle and Smalley.

Study Bill 11

Judiciary and Law Enforcement: Conlon, Chair; Maulsby and Welsh.

Study Bill 13

Commerce: Evans, Chair; Chiodo and Pope.

On motion by Halvorson of Clayton, the House adjourned at 12:15 p.m., until 10:00 a.m., Monday, January 15, 1979.

JOURNAL OF THE HOUSE

Eighth Calendar Day – Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 15, 1979

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

Prayer was offered by the Honorable Kenneth De Groot, State Representative from Lyon County.

The Journal of Friday, January 12, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Luther Harrington, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

PETITIONS FILED

The following petitions were received and placed on file:

By Brandt of Black Hawk from twenty-three constituents from the thirty-fifth district and from Crabb of Crawford from one hundred twenty-three members of Iowa Beef Processors favoring share drafts.

By Crabb of Crawford from two hundred sixty-two citizens of Monona in favor of all railroad crossings being marked with lights and/or arms both.

INTRODUCTION OF BILLS

House Joint Resolution 4, by Schroeder, a joint resolution to disapprove of a rule promulgated by the department of revenue regarding the sales tax exemption for certain fuels.

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

House File 44, by Bennett, a bill for an act to establish the standard of negligence for failure to install reflective devices on the sides of railroad cars.

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

House File 45, by Crabb, a bill for an act to require that polling places for all elections conducted under chapter forty-nine (49) of the Code be closed at seven o'clock p.m.

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

House File 46, by Bennett, a bill for an act relating to title insurance.

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

House File 47, by Hansen of O'Brien, a bill for an act relating to local advisory committees for vocational education.

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

House File 48, by Hansen of O'Brien, a bill for an act relating to authorization for teaching.

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

House File 49, by Lageschulte, a bill for an act to prohibit the use of deferred judgments or sentences for the offense of operating a motor vehicle while under the influence.

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

House File 50, by Davitt, a bill for an act to require a board of review to specify reasons for its action on a protest when written notice of the action is provided to the property owner or aggrieved taxpayer.

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

House File 51, by Daggett, a bill for an act exempting farm machinery from the state sales and use tax.

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

House File 52, by Schnekloth, a bill for an act relating to the compensation of township trustees and clerks.

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

House File 53, by Clark of Cerro Gordo, a bill for an act to revise the list of substances designated as controlled substances under the uniform controlled substances Act.

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

House File 54, by Pelton, Woods, Shimanek and Chiodo, a bill for an act relating to district associate judges and judicial magistrates.

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

House File 55, by Daggett, a bill for an act to exempt certain industrial material and equipment from the sales and use tax.

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

House File 56, by Thompson, a bill for an act to allow the deduction of mobile home taxes paid in computing the state individual income tax.

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

House File 57, by Schnekloth, a bill for an act relating to the computation of income taxable for state tax purposes by allowing a partial deduction for rent paid for residential property, a partial deduction for rental income from residential property and the partial disallowance of a deduction for real property taxes paid on residential rental property.

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

House File 58, by Hansen of O'Brien, a bill for an act to authorize transfer of unencumbered funds in drainage or levee district sinking

fund accounts to form a common drainage or levee district revolving fund from which repair and maintenance costs may initially be paid.

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

HOUSE CONCURRENT RESOLUTION 3

By Halvorson of Clayton

- 1 *Be It Resolved By The House, The Senate Concurring,*
- 2 That a joint convention of the two houses of the Sixty-
- 3 eighth General Assembly be held on Thursday, January
- 4 18, 1979, at 8:00 p.m.
- 5 *Be It Further Resolved,* That Governor Robert D.
- 6 Ray be invited to present his budget message at this
- 7 joint convention of the two houses of the General
- 8 Assembly and that the Speaker of the House and the
- 9 President of the Senate be designated to deliver the
- 10 invitation to him.

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 on January 11, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 3, providing for the joint rules of the Sixty-eighth General Assembly.

FRANK J. STORK, Secretary

SENATE CONCURRENT RESOLUTION 3

By Committee on Rules and Administration

- 1 *Be It Resolved By The Senate, The House of Representatives*
- 2 *Concurring,* That the joint rules of the senate and house in
- 3 the sixty-eighth general assembly shall be:
- 4 **JOINT RULES OF THE SENATE AND HOUSE**
- 5 **Rule 1**
- 6 **Suspension of Joint Rules**
- 7 The joint rules of the general assembly may be suspended
- 8 by concurrent resolution, duly adopted by a constitutional
- 9 majority of the senate and the house.
- 10 **Rule 2**
- 11 **Designation of Sessions**

12 Each regular session of a general assembly shall be
13 designated by the year in which such regular session commences.

14 Rule 3

15 Sessions of a General Assembly

16 The election of officers, organization, hiring and
17 compensation of employees, and standing committees in each
18 house of the general assembly and action taken by each house
19 shall carry over from the first to the second regular session
20 and to any extraordinary session of the same general assembly.
21 The status of each bill and resolution shall be the same at
22 the beginning of each session as it was immediately before
23 adjournment of the previous regular or extraordinary session;
24 however the rules of either house may provide for re-referral
25 of some or all bills and resolutions to standing committees
26 upon adjournment of each session or at the beginning of a
27 subsequent regular or extraordinary session, except those
28 which have been adopted by both houses in different forms.

29 Upon final adoption of a concurrent resolution at any
30 extraordinary session affecting that session, or at a regular
31 session affecting any extraordinary session which may be held
32 before the next regular session, the creation of any calendar
33 by either house shall be suspended and the business of the
34 session shall consist solely of those bills or subject matters
35 stated in the resolution adopted. Bills named in the

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1 resolution, or bills containing the subject matter provided
2 for in the resolution, may, at any time, be called up for
3 debate in either house by the majority leader of that house.

4 Rule 4

5 Presentation of Messages

6 All messages between the two houses shall be sent by the
7 secretary of the senate or the chief clerk of the house of
8 representatives, shall be announced and communicated to the
9 chair.

10 Rule 5

11 Printing and Form of Bills
12 and Other Documents

13 Bills and joint resolutions shall be introduced, numbered,
14 prepared, and printed as provided by law, or in the absence
15 of such law, in a manner determined by the secretary of the
16 senate and the chief clerk of the house of representatives.

17 All bills and joint resolutions introduced shall be in
18 a form and number approved by the secretary of the senate
19 and chief clerk of the house.

20 The legal counsel of each house shall read and approve
21 all bills before introduction.

22 Rule 6

23 Companion Bills

24 When identical bills are introduced in each house they

25 shall be called companion bills. Each house shall designate
 26 the sponsor in the usual way followed in parentheses by the
 27 sponsor of the companion bill in the other house. The house
 28 where the bill is first introduced shall print the complete
 29 text. The printed companion bill shall contain the title,
 30 enacting clause, and a statement that the bill is a companion
 31 bill. However, if the bill is not more than four pages in
 32 length, the complete text shall be printed in both houses.

33 Rule 7

34 Reprinting of Bills

35 Whenever any bill has been substantially amended by either

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1 house, the secretary of the senate or the chief clerk shall
 2 order the bill reprinted on paper of a different color. All
 3 adopted amendments shall be distinguishable.

4 The secretary of the senate or the chief clerk may order
 5 the printing of a reasonable number of additional copies of
 6 any bill, resolution, amendment, or journal.

7 Rule 8

8 Daily Clip Sheet

9 The secretary of the senate and the chief clerk shall
 10 prepare a daily clip sheet covering all amendments filed.

11 Rule 9

12 Reintroduction of Bills and Other Measures

13 When a bill or resolution which has passed one house is
 14 rejected in the other, it shall not be again introduced during
 15 the general assembly.

16 Rule 10

17 Certification of Bills and Other Enrollments

18 When any bill or resolution which has passed one house
 19 is rejected or adopted in the other, notice of such action
 20 and the date thereof shall be given to the house of origin
 21 in writing signed by the secretary or the chief clerk.

22 Rule 11

23 Amendments by Other House

24 I. When a bill which originated in one house is amended
 25 in the other house, the house originating the bill may amend
 26 the amendment, concur in full in the amendment, or refuse
 27 to concur in full in the amendment. Precedence of motions
 28 shall be in that order.

29 A. If the house originating the bill concurs in the
 30 amendment, the bill shall then be read for the last time as
 31 amended, and placed upon its final passage.

32 B. If the house originating the bill refuses to concur
 33 in the amendment, the bill shall be returned to the amending
 34 house which shall either:

35 1. Recede, after which the bill shall be read for the

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1 last time and placed upon its final passage; or

2 2. Insist, which will send the bill to a conference
3 committee.

4 C. If the house originating the bill amends the amendment,
5 that house shall concur in the amendment as amended and the
6 bill shall be read for the last time as amended, shall be
7 placed on final passage, and shall be returned to the other
8 house. The other house cannot further amend the bill.

9 1. If the amending house which gave second consideration
10 to the bill concurs in the amendment to the amendment, the
11 bill shall then be read for the last time as finally amended,
12 and placed upon its final passage.

13 2. If the amending house refuses to concur in the amendment
14 to the amendment, the bill shall be returned to the house
15 originating the bill which shall either:

16 a. Recede, after which the bill shall be read for the
17 last time as amended and placed upon its final passage; or

18 b. Insist, which will send the bill to a conference
19 committee.

20 II. A motion to recede has precedence over a motion to
21 insist. Failure to recede means to insist; and failure to
22 insist means to recede.

23 III. A motion to lay on the table or to indefinitely
24 postpone shall be out of order with respect to motions to
25 recede from or insist upon and to amendments to bills which
26 have passed both houses.

27 IV. A motion to concur, refuse to concur, recede, insist,
28 or adopt a conference committee report is in order even though
29 the subject matter has previously been acted upon.

Rule 12

Conference Committee

30 1. Within one legislative day after either house insists
31 upon an amendment to a bill, the presiding officer of the
32 house, after consultation with the majority leader, shall
33 appoint three majority party members and, after consultation
34 with the minority leader, shall appoint two minority party
35 members to a conference committee. The presiding officer
36 of the senate, after consultation with the majority leader,
37 shall appoint three majority party members and, after
38 consultation with the minority leader, shall appoint two
39 minority party members to a conference committee. The papers
40 shall remain with the house that originated the bill.

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1 with the minority leader, shall appoint two minority party
2 members to a conference committee. The presiding officer
3 of the senate, after consultation with the majority leader,
4 shall appoint three majority party members and, after
5 consultation with the minority leader, shall appoint two
6 minority party members to a conference committee. The papers
7 shall remain with the house that originated the bill.

8 2. The conference committee shall meet before the end
9 of the next legislative day after their appointment, shall
10 select a chair and shall discuss the controversy.

11 3. The authority of the committee shall cover free
12 conference during which the committee has authority to propose
13 amendments to any portion of a bill provided the amendment
14 is within the scope of the title of the bill.

15 4. An agreement on recommendations must be approved by
16 at least three members from each house. The committee shall
17 submit two originals of the report signed by at least three
18 members of each house with one signed original and three
19 copies to be submitted to each house. The report shall first
20 be acted upon in the house originating the bill. Such action,
21 including all papers, shall be immediately referred by the
22 secretary of the senate or the chief clerk of the house of
23 representatives to the other house.

24 5. The report of agreement is debatable, but cannot be
25 amended. If the report contains recommended amendments to
26 the bill, adoption of the report shall automatically adopt
27 all amendments contained therein. After the report is adopted,
28 there shall be no more debate, and the bill shall immediately
29 be placed upon its final passage.

30 6. Refusal of either house to adopt the conference
31 committee report has the same effect as if the committee had
32 disagreed.

33 7. If the conference committee fails to reach agreement,
34 a report of such failure signed by at least three members
35 of each house shall be given promptly to each house. The

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1 bill shall be returned to the house that originated the bill
2 and the members of the committee shall be immediately
3 discharged and a new conference committee appointed by the
4 presiding officer of each house. The presiding officer of
5 the house, after consultation with the majority leader, shall
6 appoint three majority party members and, after consultation
7 with the minority leader, shall appoint two minority party
8 members all of whom shall not have previously served on a
9 conference committee on the bill under consideration. The
10 presiding officer of the senate, after consultation with the
11 majority leader, shall appoint three majority party members
12 and, after consultation with the minority leader, shall appoint
13 two minority party members all of whom shall not have
14 previously served on a conference committee on the bill under
15 consideration.

Rule 13

Enrollment and Authentication of Bills

18 When a bill or resolution has passed both houses, it shall
19 be enrolled in the house of origin under the direction of
20 either the secretary or the chief clerk and its house of
21 origin shall be certified by the endorsement of the secretary
22 or the chief clerk.

23 After enrollment, each bill shall be signed by the president
24 and by the speaker.

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Rule 14
Concerning other Enrollments

All resolutions and other matters which are to be presented to the governor for his approval shall be enrolled, signed, and presented in the same manner as bills.

All resolutions and other matters which are not to be presented to the governor or the secretary of state shall be enrolled, signed and retained permanently by the secretary of the senate or chief clerk of the house.

Rule 15
Transmission of Bills to the Governor

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1 After a bill has been signed in each house, it shall be
2 presented to the governor by the secretary or the chief clerk
3 of the house of origin. The secretary or the chief clerk
4 shall report the date of the presentation, which shall be
5 entered upon the journal of the house of origin.

6 Rule 16
7 Fiscal Notes

8 A fiscal note shall be attached to any bill or joint
9 resolution which reasonably could have an annual effect of
10 at least one hundred thousand dollars or a combined total
11 effect within five years after enactment of five hundred
12 thousand dollars or more on the aggregate revenues,
13 expenditures or fiscal liability of the state or its
14 subdivisions. This rule does not apply to appropriation
15 measures where the total effect is stated in dollar amounts.

16 The preliminary determination of whether the bill appears
17 to require a fiscal note shall be made by the legislative
18 service bureau which shall indicate that a bill requires a
19 fiscal note by stamping "FISCAL NOTE REQUIRED" prominently
20 on the bill jacket. Upon completion of the bill draft, the
21 legislative service bureau shall immediately send a copy to
22 the legislative fiscal director for his review.

23 When a committee reports a bill to the floor, the committee
24 shall state in the report whether a fiscal note is or is not
25 required.

26 The fiscal note shall be printed on the bill before
27 introduction if practicable; and in any event the secretary
28 of the senate or chief clerk of the house shall attach the
29 fiscal note to the bill when the bill is reported out by a
30 committee.

31 The legislative fiscal director shall prepare the fiscal
32 note within a reasonable time after receiving the request.
33 A copy of the fiscal note shall be filed by the legislative
34 fiscal director with the secretary of the senate or the chief
35 clerk of the house. The legislative fiscal director may

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1 request the cooperation of the state comptroller or any state
2 department or agency. If a fiscal note is prepared by the
3 comptroller or any state department or agency at the request
4 of the fiscal director, that fact shall be stated in the note.

5 Each fiscal note shall state in dollars the estimated
6 effect of the bill on the revenues, expenditures, and fiscal
7 liability of the state during each of the first five years
8 after enactment. Sources of funds for expenditures under
9 the bill shall be stated, including federal funds. If the
10 fiscal director cannot make an accurate estimate, he shall
11 state his best available estimate or shall state that no
12 dollar estimate can be made and state concisely the reason.

13 The fiscal note shall be attached or printed in the bill
14 following the explanation or shall be printed in the daily
15 clip sheet.

16 A revised fiscal note may be requested by a committee
17 chairman or a sponsor of the bill if the fiscal effect of
18 the bill has been changed by adoption of an amendment.
19 However, a request for a revised fiscal note shall not delay
20 action on a bill unless so ordered by the presiding officer
21 of the house in which the bill is under consideration.

22 If a date for adjournment has been set, then a
23 constitutional majority of the house in which the bill is
24 under consideration may waive the fiscal note requirement
25 during the three days prior to the date set for adjournment.

26 Rule 17

27 Joint Legislative Intern Committee

28 There shall be a joint legislative intern committee to
29 organize and supervise a legislative intern program for Iowa
30 college and university students. The committee shall consist
31 of fourteen members: two members of the senate, one appointed
32 by the majority leader and one appointed by the minority
33 leader; two members of the house, one appointed by the majority
34 leader and one appointed by the minority leader; the secretary
35 of the senate or his designee; the chief clerk of the house

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1 or his designee; the director of the legislative service
2 bureau or his designee; a person from each of the three state
3 universities selected by each of the universities; a per-
4 son representing the Drake University College of Law selected
5 by Drake University; a person representing the University
6 of Iowa College of Law selected by the college of law; and
7 two persons from Iowa private colleges selected by the other
8 members of the committee.

9 The members of the joint legislative intern committee,
10 except the two persons from Iowa private colleges, shall be
11 named by the appropriate appointing authorities within twenty
12 days after the convening of the first regular session of each

13 general assembly. The two persons from Iowa private colleges
14 will be selected at the committee's first meeting, or as soon
15 as practical. Members shall serve until their successors
16 have been duly appointed or selected. The committee shall
17 elect a chairman and vice chairman from its membership. A
18 vacancy shall be filled in the same manner as the original
19 appointment.

20 The purpose of the legislative intern program shall be:
21 1) to provide useful staff services to legislators not
22 otherwise provided by the general assembly; 2) to give
23 interested college, graduate, and law school students practical
24 experience in the legislative process as well as providing
25 a meaningful educational experience; and 3) to enrich the
26 curriculum of participating colleges and universities.

27 The joint legislative intern committee shall have the
28 following duties and responsibilities:

29 1. Provide procedures for the recruitment, selection,
30 assignment, and supervision of all interns in each house.

31 2. Establish the duties of interns.

32 3. Provide orientation and seminar programs for interns.

33 4. Consult and work with faculty and staff at Iowa colleges
34 and universities to encourage participation in the legislative
35 intern program.

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1 5. Prepare and distribute materials designed to explain
2 the legislative intern program.

3 6. Prescribe all necessary forms.

4 7. Make recommendations to the general assembly regarding
5 the legislative intern program.

6 8. Such other duties and responsibilities as are necessary
7 to effectively organize and supervise the legislative intern
8 program.

9 The joint legislative intern committee shall report to
10 the general assembly in January of each year. The report
11 shall include a description of the results of the legislative
12 intern program during the last preceding session and the
13 proposed legislative intern program for the session convening
14 during the month the report is submitted.

Rule 18

Time of Committee Passage and Consideration of Bills

17 1. To be placed on the house calendar, all bills except
18 appropriations bills, ways and means bills, the claims
19 committee report, and conference committee reports must be
20 reported out of committee no later than the following
21 deadlines:

22 House bills under individual sponsorship must be reported
23 out of a standing committee no later than the Friday of the
24 10th week of the first session and the 8th week of the second
25 session.

26 House bills sponsored by a committee must be reported out
 27 of a standing committee no later than the Friday of the 11th
 28 week of the first session and the 9th week of the second
 29 session.

30 Senate bills under individual sponsorship must be reported
 31 out of a standing committee no later than the Friday of the
 32 12th week of the first session and the 10th week of the second
 33 session.

34 Senate bills sponsored by a committee must be reported
 35 out of a standing committee no later than the Friday of the

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1 13th week of the first session and the 11th week of the second
 2 session.

3 2. To be placed on the senate calendar, all bills except
 4 appropriations bills, ways and means bills, the claims
 5 committee report, and conference committee reports must be
 6 reported out of committee no later than the following
 7 deadlines:

8 Senate bills under individual sponsorship must be reported
 9 out of a standing committee no later than the Friday of the
 10 10th week of the first session and the 8th week of the second
 11 session.

12 Senate bills sponsored by a committee must be reported
 13 out of a standing committee no later than the Friday of the
 14 11th week of the first session and the 9th week of the second
 15 session.

16 House bills under individual sponsorship must be reported
 17 out of a standing committee no later than the Friday of the
 18 12th week of the first session and the 10th week of the second
 19 session.

20 House bills sponsored by a committee must be reported out
 21 of a standing committee no later than the Friday of the 13th
 22 week of the first session and the 11th week of the second
 23 session.

24 3. During the 14th week of the first session and the 12th
 25 week of the second session each house will consider only bills
 26 originating in that house. During the 15th week of the first
 27 session and the 13th week of the second session each house
 28 will consider only bills originating in and passed by the
 29 other house. During the 16th and 17th weeks of the first
 30 session and the 14th and 15th weeks of the second session,
 31 each house will consider only appropriations, ways and means
 32 bills, claims report, bills coming from conference committee
 33 and unfinished business.

Laid over under Rule 25.

COMMUNICATIONS

The following communications were received and are on file in the office of the Chief Clerk:

BOARD OF REGENTS

A report of the Ten-Year Building Program pursuant to Chapter 262A.3, Code of Iowa.

IOWA ENERGY POLICY COUNCIL

A report on the Iowa Energy Policy Council pursuant to Section 93.7, Code of Iowa.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on January 9, 1979 and is on file in the office of the Chief Clerk:

Mr. David L. Wray
Chief Clerk
House of Representatives
State House
L O C A L

Dear Mr. Wray:

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

These include 56 claims of a general nature that have been denied by the State Appeal Board during the year 1978.

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

Very truly yours,

MAURICE E. BARINGER
Chairman
State Appeal Board

Receipt of the above is hereby acknowledged.

DAVID L. WRAY, Chief Clerk

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
291-65-25	Dubuque Co. Dept. of Social Services Dubuque, Iowa Foster care reimbursement	\$ 31,111.16	Disapproved
292-65-25	Dubuque Co. Dept. of Social Services Dubuque, Iowa Veterans' children foster care	39,978.13	Disapproved
607-66-25	Jacobsma Transportation Co., Inc. Sioux City, Iowa Prorate fee refund	344.06	Disapproved
2901-67-25	Crumley Carroll McKay New Market, Iowa Refund overpayment of truck fee	156.81	Disapproved
4118-67-25	R & M Trucking Co. Eldora, Iowa Prorate refund	260.00	Disapproved
4240-67-25	Donald Tsai, M.D. Urbandale, Iowa Outdated claim for salary differential	2,808.00	Disapproved
4259-67-25	Woodbury Co. Dept. of Social Services Sioux City, Iowa Foster care reimbursement	38.10	Disapproved
4312-67-25	Grange Heating, Inc. Waterloo, Iowa Request for payment of services	5,422.93	Disapproved
4313-67-25	Borgy's Waterloo, Iowa Request for payment of services	1,615.34	Disapproved
4314-67-25	Plywood Minnesota, Inc. Waterloo, Iowa Request for payment of services	1,207.15	Disapproved
4315-67-25	Union Plumbing & Sheet Metal Co. Waterloo, Iowa Request for payment of services	2,614.00	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
4316-67-25	Cue's Janitorial Service & Supply, Inc. Waterloo, Iowa Request for payment of services	400.00	Disapproved
4317-67-25	Wheeler-Braun Lumber Co. Waterloo, Iowa Request for payment of services	2,485.16	Disapproved
4318-67-25	Merwin E. Pitt d/b/a Pitt Plumbing Co. Waterloo, Iowa Request for payment of services	1,269.09	Disapproved
4362-67-25	Hope Haven School Rock Valley, Iowa Outdated invoice reported by Dept. of Social Services as paid	1,201.28	Disapproved
4419-68-25	Lloyd Wilbert Coleman Ames, Iowa Request for payment of damaged clothing	60.48	Disapproved
4452-68-25	Edward Bell Palo, Iowa Request for payment of a damaged shirt	8.00	Disapproved
4489-68-25	New Hope Village, Inc. Carroll, Iowa Outdated billing reported previously paid by Dept. of Social Services	3,232.40	Disapproved
4490-68-25	Hope Haven School Rock Valley, Iowa Outdated billing reported previously paid by Dept. of Social Services	327.30	Disapproved
4512-68-25	Joyce Vinette Jones Des Moines, Iowa State employee requesting reimbursement for stolen purse and contents	200.00	Disapproved
4515-68-25	Isabelle Usovsky Waterloo, Iowa Outdated Title XIX claim previously paid	50.00	Disapproved
4530-68-25	Dale E. Bergman Stratford, Iowa Gas Tax refund (amended income tax returns to be filed for reimbursement)	127.61	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
4535-68-25	Mark A. Boley Ottumwa, Iowa Damaged clothing	19.57	Disapproved
4579-68-25	Robco Transportation, Inc. West Des Moines, Iowa Request for prorated refund (credit was given on second-half billing by DOT)	9,722.02	Disapproved
4581-68-25	Matura Action Corporation Creston, Iowa Request for Title XX reimbursement (Recipients of care not clients of Social Services at the time expense occurred)	61.75	Disapproved
4590-68-25	Sidney H. Robinow, M.D. Des Moines, Iowa (Title XIX claim over 1 year old - Federal funds have reverted)	65.00	Disapproved
4591-68-25	Marshall Flapan, M.D. Des Moines, Iowa Title XIX claim over 1 year old - (Federal funds have reverted)	85.00	Disapproved
4593-68-25	Des Moines General Hospital Des Moines, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	80.30	Disapproved
4594-68-25	Des Moines General Hospital Des Moines, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	384.10	Disapproved
4609-68-25	Dr. David L. Adams Des Moines, Iowa State employee asking for payment of per diem on Board in addition to full-time salary	410.00	Disapproved
4629-68-25	Winneshiek Co. Memorial Hospital Decorah, Iowa Outdated request for medical services provided (Should have been Worker's Comp. claim)	30.00	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
4647-68-25	Drs. Edmund T. Burke & John C. Bardole Des Moines, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	85.00	Disapproved
4653-68-25	Dr. Robert Moore, D.D.S. Hampton, Iowa Unauthorized out-of-state travel claim	276.13	Disapproved
4670-68-25	Frederick Russell Drexler, D.D.S. Clarence, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	99.00	Disapproved
4684-68-25	CRST, Inc. Cedar Rapids, Iowa Prorate fee refund request	8,475.60	Disapproved
4699-68-25	Clinic of General Medicine, P.C. Des Moines, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	462.00	Disapproved
4718-68-25	Siouxland Mental Health Center Sioux City, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	721.00	Disapproved
4723-68-25	Richard E. Preston, M.D. Des Moines, Iowa Claim being paid administratively	104.80	Disapproved
4731-68-25	Warren J. Nutter Fort Madison, Iowa Payment request that has been resolved administratively	72.00	Disapproved
4787-68-25	Johnson & Phelan Fort Madison, Iowa Billing for unauthorized legal services	500.00	Disapproved
4792-68-25	Iowa-Illinois Gas & Electric Co. Davenport, Iowa Request for refund of license fees	217.08	Disapproved
4801-68-25	Corlisa G. Peters Decorah, Iowa Property loss	7,470.00	Disapproved
4863-68-25	Martin Luther Home Beatrice, Nebraska Misdirected billing	160.90	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
4876-68-25	L. K. Berryhill, M.D. Fort Dodge, Iowa Payment request that has been resolved administratively	125.00	Disapproved
4892-68-25	Dubuque Anesthesia Services, P.C. Dubuque, Iowa Title XIX claim over 1 year old (Federal funds have reverted)	322.00	Disapproved
4914-68-25	Satterfield Psychiatric Associates, P. C. Sioux City, Iowa Billing for Title XIX being paid administratively	272.00	Disapproved
4920-68-25	Robert L. Moore, D.D.S. Hampton, Iowa Outdated voucher for expenses for out-of-state trip not authorized by Executive Council	55.47	Disapproved
4933-68-25	American Emergency Medical Services, Inc. Des Moines, Iowa Request for payment of ambulance services for Title XIX client	185.00	Disapproved
4934-68-25	American Emergency Medical Services, Inc. Des Moines, Iowa Outdated request for payment of ambulance services for Title XIX client	125.00	Disapproved
4947-68-25	Hy-Vee Food Stores Urbandale, Iowa Outdated billing for Emergency Energy Assistance Program voucher	100.00	Disapproved
4949-68-25	L. K. Berryhill, M.D. Fort Dodge, Iowa Outdated billing for Title XIX recipient	106.00	Disapproved
4999-68-25	Cassens Transport Co. Edwardsville, Illinois Prorate fee refund request	8,353.89	Disapproved
5001-68-25	Atlantic Bottling Co. Atlantic, Iowa Fine refund request	26.00	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
5010-68-25	Stephen M. Howrey Glenwood, Iowa Salary request for "off" hours' pay	39.39	Disapproved
5011-68-25	Betty Jean Watson Ogden, Iowa Salary request for "off" hours' pay	72.72	Disapproved
5032-68-25	Wedeking Construction Co. Spirit Lake, Iowa Billing for snow removal being paid administratively	437.50	Disapproved

COMMUNICATION FROM THE ACTING STATE COMPTROLLER

The following communication was received from the Acting State Comptroller on January 9, 1979 and is on file in the office of the Chief Clerk:

Mr. David L. Wray
Chief Clerk
House of Representatives
State House
L O C A L

Dear Mr. Wray:

In accordance with Section 25A.12, Code of Iowa 1977, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, settlements and judgments paid during 1978 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,

WILLIAM L. KRAHL
Acting Comptroller

Receipt of the above is hereby acknowledged.

DAVID L. WRAY, Chief Clerk

CHAPTER 25A GENERAL TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1978

<u>Claim No.</u>	<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
T-33-66	Aetna Casualty & Surety	Damage to auto from paint spray at U of I	\$ 84.98	\$ 84.98
T-1441-66	Don Hansen, Jr.	Loss of clothing at Men's Reformatory	18.00	18.00
T-3787-67	Don L. Rosenboom	Damage to pickup by escapees from State Penitentiary	154.71	154.71
T-3987-67	Charles Dennis Higgins	Watch broken when on emergency duty at the State Penitentiary	36.05	36.05
T-4023-67	Michael Dean Homewood	Bicycle damaged due to chuck-hole on U of I campus	54.95	54.95
T-4186-67	James Howard Johnson	Damage to auto by malfunctioning parking ramp gate	25.00	25.00
T-4264-67	Daniel Keith Fritz	Property loss at State Penitentiary	14.00	8.50
T-4265-67	Pearl Thomas Manchester	Auto damaged at Clarinda Mental Health Center	61.80	61.80
T-4295-67	Robert Dean Grimstad	Laundry personnel at Riverview Release Center damaged clothing	12.00	12.00
T-4326-67	Arnold T. Baldwin, Jr.	Property lost at State Penitentiary	201.95	130.00

T-4334-67	Rathbun Regional Water Association, Inc.	State crew damaged waterline while drilling	122.50	122.50
T-4343-67	Candice Hall	Clothing damaged at Iowa Training School for Girls	65.00	65.00
T-4359-67	Gilbert Champagne	Damage to race horse at the I.S.U. Veterinary Clinic	4,280.00	4,280.00
T-4371-67	Bobby Eugene McGee	Lost clothing at Iowa State Penitentiary	66.00	36.00
T-4408-68	Kay LeAnn Huntington	Request for back pay	58.80	58.80
T-4415-68	Lyna McAfee	Coat stolen from coat rack at Iowa Training School for Girls	27.00	27.00
T-4423-68	Harold Johnson	Property lost or stolen while at State Penitentiary	264.28	60.00
T-4435-68	Myron O. Amdahl	Legal expenses incurred by State employee	182.60	182.60
T-4438-68	Mary Ellen Richter	Malfunctioning parking lot gate damaged auto	63.86	63.86
T-4442-68	Margaret L. Rees	Personal injury	47.90	47.90
T-4467-68	Tom Long	Malfunctioning parking lot gate at U of I damaged auto	159.22	159.22
T-4469-68	Wayne Paul Garrett	Injury sustained in a snowmobile licensing class	227.05	227.05
T-4498-68	Gerald Ernest Tam	Snowplow struck his car parked in State parking lot	179.34	179.34

8th Day

MONDAY, JANUARY 15, 1979

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<u>Claim No.</u>	<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
T-4501-68	William J. O'Brien	Ice fell from Capitol Bldg. on legally parked auto	\$ 168.92	\$ 168.92
T-4554-68	Parker's Flowers and Gifts	Display case broken by residents of Woodward State Hospital School	40.86	40.86
T-4555-68	Lucha E. Myers	Personal injury sustained when she fell in parking lot near Hilton Coliseum	2,227.21	2,227.21
T-4558-68	J. Herman Schweiker	Auto damaged when ice fell from Capitol Building	220.24	220.24
T-4622-68	Tina Marie Rios	Fell on ice covered steps at U of I	16,503.00	2,000.00
T-4651-68	Ronald James Weichert	Auto damaged by malfunctioning parking gate at U of I	162.74	162.74
T-4674-68	Marvin D. Krohn	Auto damaged by malfunctioning parking gate at U of I	66.43	66.43
T-4711-68	Kimberly Rene Tvedt	Personal injury received when she ran into a poorly marked sign at U of I	139.00	139.00
T-4774-68	Bonnie Marie Suchy	Medical expenses incurred because of fall	525.00	525.00
T-4791-68	James Joseph Jacobs	Personal property lost or stolen at Anamosa	55.00	55.00

T-4839-68	Abbas Ali Hormati	Parking lot gate malfunctioned at U of I causing auto damage	86.52	86.52
T-4843-68	Chicago and North Western Transportation Co.	Contribution or indemnity by reason of action of accident occurring at I.S.U. campus	7,500.00	7,500.00
T-4844-68	June Gingerich	Parking lot gate malfunctioned at U of I causing auto damage	37.08	37.08
T-4865-68	Rose Curran	Glasses broken when she stumbled over mop left in doorway by employee	50.00	50.00
T-4871-68	Philip Duane Heath	Rock thrown through window by lawn mower operated by State employee	63.94	63.94
T-4941-68	Kirk DeLane Mathis	Employee failed to put tractor into proper gear and it struck claimant's auto	112.77	112.77
T-4953-68	Delbert L. Arndt	Reimbursement for clothing	38.11	38.11
T-5024-68	Jackson Magonigle	State employee backed endloader into his parked auto	138.02	138.02
T-5091-68	Edwards and Browne Corp.	State employee operated lawn mower threw piece of wood through plate glass window	373.90	373.90

CHAPTER 25A HIGHWAY TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1978

<u>Claim No.</u>	<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
H-254-67-T	C. Warren Hillier, Mona I. Hillier, John Hillier, and Lois Hillier	Property damages due to construction of Highway 520	\$ 10,000.00	\$ 5,000.00 Easement 5,000.00 Settlement
H-405-67-T	Myra Hope	Property damages sustained when reconstructing Highway 169	10,000.00	5,000.00
H-416-67-T	Bennie L. and Dorothy C. Anderson	Injuries received in accident at rest stop on I-80	121,357.38	18,000.00
H-449-67-T	Francis DeWayne Lawson	Damage to basement and property caused by altering surface drainage along Highway 63	2,157.00	657.00
H-452-67-T	Smithway Motor Express, Inc.	Property damage received in accident on Highway 15	3,497.55	3,497.55
H-453-67-T	Lanny Weil	Personal injury and property damage due to accident on Highway 15	68,504.91	14,000.00
H-465-67-T	Alan L. Nichols	Line painting operation splattered auto with paint	148.32	148.32
H-467-67-T	Carolyn Sue Lanning	Auto damaged by falling DOT sign	398.10	398.10

H-471-67-T	John A. Clark	Pickup damaged by DOT employee replacing stop sign	117.94	117.94
H-472-67-T	Jack Dean South	Damage to well by construction work	3,385.00	3,385.00
H-501-68-T	Lunda Construction Co.	Windshield on truck damaged by thrown clipboard	115.85	115.85
H-502-68-T	Mrs. Mary Helmers	Property damage incurred when DOT personnel mowed roadside	151.51	151.51
H-503-68-T	Milwaukee Motor Transportation Co.	Property damage resulting from improper permit being issued	4,353.65	4,353.65
H-504-68-T	Milwaukee Motor Transportation Co.	Crane traveling expense (Re: above claim)	3,600.00	1,661.00
H-505-68-T	Ronald W. Mumby	Eyeglass damage	25.50	25.50
H-506-68-T	Richard G. Stutzman, Jr.	Pickup damaged when he hit a piece of concrete on Highway 13	91.22	91.22
H-509-68-T	Griffith Ford-Mercury, Inc.	Damage to sewer tile when widening Highway 71	138.76	138.76
H-518-68-T	Clarence L. Hill	Auto damaged in DOT parking lot by employee negligently operating a snowblower	931.09	931.09
H-519-68-T	Arthur Edward Miner	Auto damaged in DOT parking lot by employee negligently operating a snowblower	983.84	983.84

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MONDAY, JANUARY 15, 1979

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<u>Claim No.</u>	<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
H-521-68-T	Chester Kenneth Koth	Tire ruined by rough curb on Highway 20	54.59	54.59
H-523-68-T	Michael Alan Rhodes	Tire ruined by rough curb on Highway 20	47.64	47.64
H-524-68-T	Dale Christopher	Property destroyed in fire	\$ 27.00	\$ 27.00
H-528-68-T	Clarence L. Hill	Additional damage claimed (Re: Claim H-518-68-T)	Undetermined	134.37
H-530-68-T	Tru-Fit Corporation	DOT employee backed end-loader into path of auto	1,316.39	1,316.39
H-531-68-T	Lloyd Eugene Satterwhite	Damage to wheel, tire and hub-cap caused by deep hole in highway	106.74	123.73
H-532-68-T	Benchmark Computer System, Inc.	Road sealing crew sprayed oil on vehicle	94.95	94.95
H-538-68-T	Alva Carlson	Damage to beans by DOT survey crew	100.00	100.00
H-541-68-T	James Arnold Novinger	Tire damage due to hole in shoulder on Highway 65	143.00	137.50
H-542-68-T	Eugene I. Hingtgen	Damage to gate on farm by snow removal crews	40.15	40.15
H-548-68-T	Jerry Lee Lowers	Road surface sealing crew sprayed oil on auto causing damage	46.87	46.87

H-554-68-T	Monte Nelson Grandon	Paint damage on auto from center line painting	157.59	157.59
H-555-68-T	Albert M. Sperry	*Ruined tire, bent rim on auto caused by hole in highway	122.88	122.88
H-556-68-T	Dodge Country USA, Inc.	Van damaged when it hit a hole on the shoulder in a construction zone	1,801.94	1,801.94
H-557-68-T	Daryl L. Turner	Auto damaged when he struck a hole in roadway	87.55	87.55
H-558-68-T	Glen Pierce Uglum	DOT sign fell striking his auto	399.64	399.64
H-567-68-T	Maria D. Spooner	Damage to auto when a hammer fell from basket utilized by DOT employees	139.80	139.80
H-580-68-T	Marcia Lynn Trittien	Damage to coat when used to put out fire in State car	20.00	20.00
H-582-68-T	Francis M. Braley	Traffic counter hose punctured tire on auto	37.00	10.00
H-583-68-T	Leland C. Lachmann	Damage to vehicle from DOT failing to provide ingress and egress	389.49	389.49
H-584-68-T	Mrs. William F. Behrens	Vehicle damaged by rock thrown by DOT cement cutter	179.63	179.63
H-586-68-T	John Walter Goeken	Tire ruined by metal protruding from storm sewer	75.13	75.13

8th Day

MONDAY, JANUARY 15, 1979

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<u>Claim No.</u>	<u>Claimant</u>	<u>Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
H-589-68-T	Charles Edward Sherwood	Vehicle damaged by rock thrown by DOT lawn mower	68.08	68.08
H-597-68-T	Harry Lyle Meader	Windshield on vehicle damaged by rock thrown by grass mower	Undetermined	158.07
H-603-68-T	Steve George Kolbach	Motorcycle damaged when he struck a hole in road	218.62	218.62
H-607-68-T	Glen and Joyce Chrystal	Crop damage and soil loss due to construction along Highway 520	\$3,500.00	\$2,500.00
H-621-68-T	City of Calamus	Had to install connecting tile to provide drainage after Highway 30 construction	914.84	742.84
H-622-68-T	Robert G. Minor	Snow thrower threw rocks into side of auto	187.88	187.88
H-623-68-T	Duane I. Jansen	Pickup damaged by fellow DOT employee	120.34	120.34
HE-7-68-T	Steve Weed	Auto damaged by drivers license examiner	42.49	42.49

Chapter 25A – Tort Claims
 JUDGMENTS AND SETTLEMENTS AT OR BEFORE TRIAL – 1978

<u>Former Claim No.</u>	<u>Name of Claimant</u>	<u>Nature of Claim</u>	<u>Amount Prayed</u>	<u>Amount Settled</u>
H-10-65-T &	William C. Lewis	Personal Injury (Settlement)		\$30,000.00
H-11-65-T &	William C. Lewis, Admn. Estate of Virginia C. Lewis	Wrongful Death (Settlement)	\$ 751,395.00	35,000.00
H-12-65-T	Monica Lewis	Personal Injury (Settlement)		30,000.00
H-15-65-T & H-16-65-T	Phillip R. Ogan Sheila Ogan	Personal Injury (Settlement)	350,000.00	58,000.00
H-34-66-T	Paula Waechter	Personal Injury (Settlement)	87,000.00	750.00
H-99-66-T	John Albert Mindel	Personal Injury (Settlement)	1,000,000.00	44,000.00
H-113-66-T	Ade Manufacturing Co., Inc.	Property Damages (Settlement)	10,000.00	3,500.00
H-125-66-T	Sizer Trucking, Inc.	Property Damages (Settlement)	42,500.00	6,000.00
H-144-66-T	James Joseph Conway	Property Damages (Settlement)	17,000.00	522.85

8th Day

MONDAY, JANUARY 15, 1979

<u>Former Claim No.</u>	<u>Name of Claimant</u>	<u>Nature of Claim</u>	<u>Amount Prayed</u>	<u>Amount Settled</u>
H-197-66-T & H-198-66-T	Shelly Lynn Kirk Robert Lynn Kirk	Personal Injury (Settlement)	805,046.55	25,000.00
H-204-66-T	Donna E. Sandin	Personal Injury (Settlement)	10,000.00	5,000.00
H-205-66-T	Nancy Jean Keil	Personal Injury (Settlement)	55,000.00	15,000.00
H-206-66-T	Marie Theobald	Personal Injury (Settlement)	7,500.00	2,500.00
H-239-67-T	James R. Munger	Personal Injury (Settlement)	12,506.00	5,000.00
H-240-67-T	Wayne Lee Cole	Personal Injury (Settlement)	55,000.00	11,500.00 (State's Share)
H-255-67-T	Robert Cutler	Personal Injury (Settlement)	1,800,000.00	40,000.00
H-258-67-T	Estate of Richard J. Newlin	Personal Injury (Settlement)	500,000.00	62,500.00
H-335-67-T	George W. Vachta, Admn. of the Estate of Donald Ole Vachta	Personal Injury (Settlement)	325,000.00	3,750.00

H-370-87-T	Daniel Edward Gavin	Property Damage (Settlement)	2,339.61	300.00
H-412-87-T & H-413-87-T	James Alexander Maxine Alexander	Personal Injury (Settlement)	360,000.00	20,000.00
H-422-87-T	Newlin Bank Sales	Property Damages (Settlement)	\$ 4,232.23	\$ 4,232.23
H-424-87-T	Cynthia J. Woodward	Personal Injury (Settlement)	35,000.00	2,500.00
T-1195-65	Bonnie Lou Laughlin	Personal Injury (Judgment)	500,000.00	10,000.00 + Int. and Costs
T-783-66	Ernest Triplett	Punitive Damage (Settlement)	2,000,000.00	50,000.00
T-847-66	Lyle Jeske/Iowa National Mutual Ins. Co.	Property Damage (Settlement)	1,970.86	150.00
T-2465-67 & T-2998-67	Herbert L. Johnston Colleen Edwards	Personal Injury (Settlement)	60,000.00	3,000.00
T-2543-67	Harold Joseph Jones	Personal Injury (Settlement)	25,000.00	3,000.00 + Costs
T-2560-67	Milton Hanna	Personal Injury (Settlement)	50,000.00	1,000.00
T-2581-67	Donald T. Patz	Personal Injury (Settlement)	35,000.00	3,000.00

8th Day

MONDAY, JANUARY 15, 1979

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<u>Former Claim No.</u>	<u>Name of Claimant</u>	<u>Nature of Claim</u>	<u>Amount Prayed</u>	<u>Amount Settled</u>
T-2830-67 & T-2831-67	Kenneth John Hoffman	Personal Injury (Settlement)	20,000.00	5,000.00
T-3251-67	Chet Martin Vaughn	Personal Injury (Settlement)	100,000.00	5,000.00
T-3424-67	David Bruneau	Personal Injury (Settlement)	15,000.00	521.35
T-3529-67	Alex J. Barber	Personal Injury (Judgment)	20,000.00	4,500.00
T-3618-67	Lois Bullinga	Personal Injury (Settlement)	50,000.00	2,500.00
T-4214-67 & T-4215-67	Kaye Lorraine Bisson Louis Bisson, Jr.	Personal Injury (Settlement)	2,000,000.00	11,250.00

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 17 Labor and Industrial Relations**

Relating to an employee's availability for work during a period of temporary unemployment.

S.B. 18 Labor and Industrial Relations

Relating to the computation of partial unemployment benefits.

S.B. 19 Labor and Industrial Relations

Relating to a nonprofit organization's election to make unemployment compensation payments on a reimbursable basis in lieu of making contributions at a fixed rate.

S.B. 20 Labor and Industrial Relations

Relating to the maximum number of weeks for which unemployment compensation can be made.

S.B. 21 Labor and Industrial Relations

Relating to requalification for unemployment compensation benefits after disqualification for failure to accept work.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON RULES

Scheduled: 2:25 p.m., January 11, 1979

Convened: 2:25 p.m.

Adjourned: 4:22 p.m.

Present: Harbor, chair; Halvorson of Clayton, vice-chair; Byerly, ranking

member; Avenson, Conlon, Crabb, Husak, Lonergan, Maulsby, Menke, Patchett, Pope, Schroeder, West and Woods.

Absent: None.

Discussion of Resolution 3 and deletion of rule. Discussed presenting new resolution with deleted rule included.

On motion by Halvorson of Clayton, the House adjourned at 10:09 a.m., until 9:00 a.m., Tuesday, January 16, 1979.

JOURNAL OF THE HOUSE

Ninth Calendar Day — Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 16, 1979

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

Prayer was offered by the Reverend L. Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Journal of Monday, January 15, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Corey of Louisa on request of Spear of Lee; Lorenzen of Scott on request of Clark of Lee; Cusack of Scott and Arnould of Scott on request of Cochran of Webster; Lonergan of Boone on request of Husak of Tama; Miller of Buchanan, for the week of January 15, on request of Anderson of Jasper; Bina of Scott on request of Avenson of Fayette.

INTRODUCTION OF BILLS

House File 59, by Thompson, a bill for an act to prescribe procedures for filling vacancies on governing bodies of school districts, counties and cities.

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

House File 60, by Hansen of O'Brien, a bill for an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

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

House File 61, by Connors, a bill for an act providing that a defendant awaiting a judgment of conviction and sentencing or appealing a conviction for a class A felony shall not be admitted to bail.

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

House File 62, by Crabb, a bill for an act relating to the elimination of the effect of the temporary delay in the phase out of the personal property tax.

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

House File 63, by Howell, a bill for an act requiring a life cycle cost analysis for certain government construction projects.

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

House File 64, by Pelton, a bill for an act providing that rules and forms submitted by the supreme court to the general assembly shall take effect the July first following their submission.

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

House File 65, by Lageschulte, a bill for an act to prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties.

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

House File 66, by Bina, a bill for an act relating to civil liability for losses caused by personal property and improvements to real property.

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 1

Halvorson of Clayton called up for consideration Senate Concurrent Resolution 1 filed on January 8, 1979 and found on page 19 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 3 filed on January 15, 1979 and found on page 122 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-five members present, twenty-five absent.

REREFERRED TO COMMITTEE ON WAYS AND MEANS

Speaker Millen announced that **House File 56**, previously referred to the committee on state government, is rereferred to the committee on **ways and means**.

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 on January 16, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 3, providing for a joint convention on Thursday, January 18, 1979, at 8:00 p.m. for the Governor to present his budget message to the General Assembly.

Also: That the Senate has on January 16, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 5, providing for the compensation of the officers and employees of the Sixty-eighth General Assembly.

FRANK J. STORK, Secretary

SENATE CONCURRENT RESOLUTION 5

By Committee on Rules and Administration

- 1 *Whereas*, section two point eleven (2.11) of the Code
- 2 provides that "The compensation of chaplains, officers and

3 employees of the general assembly shall be fixed by joint
 4 action of the house and senate by resolution at the opening
 5 of each session, or as soon thereafter as conveniently can
 6 be done.", *Now Therefore,*
 7 *Be It Resolved By The Senate, The House Concurring,* That
 8 the compensation for the following officers for the period
 9 commencing January 8, 1979 and ending January 12, 1981, shall
 10 be within the following ranges:

- 11 Secretary of the Senate and Chief
- 12 Clerk of the House \$21,294 to \$30,004
- 13 Assistant Secretary of the Senate and
- 14 Assistant Chief Clerk of the House . . . \$16,250 to \$22,360

15 Within the indicated ranges the exact compensation shall be
 16 set or adjusted for the senate officers by the senate rules
 17 and administration committee and for the house officers by
 18 the house administration committee. The committees shall
 19 report the exact compensation assigned to each position on
 20 the next legislative day, or, if such action is during the
 21 interim, on the first day the senate or house shall convene.
 22 Any action by the senate or house to disapprove or amend the
 23 report shall be effective the day after the action.

24 *Be It Further Resolved,* That the compensation of the
 25 employees of the sixty-eighth general assembly is set,
 26 effective from January 8, 1979, until January 12, 1981, in
 27 accordance with the following salary schedule:

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1	#7	#8	#9	#10	#11
2	5,902.00	6,110.00	6,396.00	6,708.00	6,994.00
3	2.84	2.94	3.08	3.23	3.36
4					
5	#12	#13	#14	#15	#16
6	7,384.00	7,722.00	8,060.00	8,424.00	8,762.00
7	3.55	3.71	3.88	4.05	4.21
8					
9	#17	#18	#19	#20	#21
10	9,126.00	9,542.00	9,984.00	10,452.00	10,946.00
11	4.39	4.59	4.80	5.03	5.26
12					
13	#22	#23	#24	#25	#26
14	11,466.00	12,012.00	12,584.00	13,156.00	13,832.00
15	5.51	5.78	6.05	6.33	6.65
16					
17	#27	#28	#29	#30	#31
18	14,300.00	14,820.00	15,522.00	16,250.00	17,004.00
19	6.88	7.13	7.46	7.81	8.18
20					

21	#32	#33	#34	#35	#36
22	17,524.00	18,434.00	19,318.00	20,306.00	21,294.00
23	8.43	8.86	9.29	9.76	10.24
24					
25	#37	#38	#39	#40	#41
26	22,360.00	23,478.00	24,648.00	25,896.00	27,196.00
27	10.75	11.29	11.85	12.45	13.08

28 In this schedule, each numbered block shall be the yearly
 29 and hourly compensation for the pay grade of the number heading
 30 the block. Within each grade there shall be eight steps
 31 numbered "1" through "8". In the above schedule the steps
 32 for all grades are determined in the following manner. Each
 33 numbered block is counted as the "1" step for that grade.
 34 The next higher block is counted as the "2" step; the next
 35 higher block is the "3" step; the next higher block is the

Page 3

1 "4" step; the next higher block is the "5" step; the next
 2 higher block is the "6" step; the next higher block is the
 3 "7" step; and the next higher block is the "8" step.
 4 All employees, other than those designated "part-time"
 5 shall be compensated for 40 hours of work in a one-week pay
 6 period. Except for the personnel designated to the contrary
 7 in this resolution, employees who are required to work in
 8 excess of 40 hours in a one-week pay period shall either be
 9 compensated at a rate of pay equal to one and one-half times
 10 the hourly pay provided in this resolution or allowed
 11 compensatory time off at a rate of one and one-half hours
 12 for each hour of overtime.

13 The following personnel shall not be paid an overtime
 14 premium:

- 15 Secretary of the Senate
- 16 Chief Clerk of the House
- 17 Assistant Secretary of the Senate
- 18 Assistant Chief Clerk of the House
- 19 Senate Legal Counsel
- 20 House Legal Counsel
- 21 Executive Secretary to the Secretary
- 22 Executive Secretary to the Chief Clerk
- 23 All Administrative Assistants
- 24 All Research Analysts
- 25 All Secretaries to Senators and Clerks to Representatives
- 26 House Public Information Office Director
- 27 All Caucus Staff Directors

28 All employees shall be available to work daily until
 29 completion of the senate's and house of representatives'
 30 business. The secretary of the senate and chief clerk of
 31 the house shall schedule all employees' working hours to,
 32 as far as possible, maintain regular working hours.

- 33 *Be It Further Resolved*, That in the event the salary
 34 schedule for employees of the State of Iowa as promulgated
 35 by the merit employment commission pursuant to section nineteen

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1 A point nine (19A.9), subsection two (2), Code 1979, is revised
 2 upward at any time during the sixty-eighth general assembly,
 3 such revised schedule shall simultaneously be adopted for
 4 the compensation of the employees of the sixty-eighth general
 5 assembly assigned a grade by this resolution. The pay ranges
 6 of those positions specifically listed on page one of this
 7 resolution shall be automatically adjusted to reflect any
 8 cost of living increases granted to those employees not
 9 included in the collective bargaining agreement made final
 10 under Chapter Twenty (20) of the Code.

11 *Be It Further Resolved*, That the employees of the sixty-
 12 eighth general assembly be placed in the following pay grades:

EMPLOYEES OF THE HOUSE	
15	Legal Counsel II Grade 33
16	Legal Counsel I Grade 29
17	Executive Secretary to Speaker Grade 23
18	Caucus Staff Director and/or
19	Leader's Administrative Assistant Grade 26 to Grade 34
20	Research Analyst Grade 23 to Grade 28
21	Executive Secretary to Chief Clerk Grade 23
22	Clerk to Chief Clerk Grade 15
23	Public Information Office Director Grade 26 to Grade 30
24	Assistant to Public Information
25	Office Director Grade 18
26	Supervisor of Clerks Grade 20
27	Journal Editor Grade 22 to Grade 24
28	Assistant Journal Editor Grade 18 to Grade 20
29	Compositor Grade 16 to Grade 18
30	Finance Clerk Grade 22
31	Assistant Finance Clerk Grade 17
32	Recording Clerk Grade 20
33	Assistant Legal Counsel Grade 23
34	Assistant to the Legal Counsel and
35	Engrossing/Enrolling Clerk Grade 21

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1	Assistant to the Legal Counsel Grade 19
2	Chief Indexer Grade 18
3	Indexing Assistant Grade 16
4	Supply Clerk Grade 15
5	Swing Clerk Grade 15
6	Switchboard Operator Grade 13
7	Clerk I Grade 13

8	Clerk II	Grade 15
9	Administrative Assistant I	Grade 13
10	Administrative Assistant II	Grade 15
11	Bill Clerk	Grade 13
12	Assistant Bill Clerk	Grade 12
13	File Clerk	Grade 8 or minimum wage, whichever is greater
14	Postmaster	Grade 10
15	Sergeant-at-Arms	Grade 15
16	Assistant Sergeant-at-Arms	Grade 13
17	Doorkeepers	Grade 9
18	Elevator Operator	Grade 8 or minimum wage, whichever is greater
19	Porter	Grade 8 or minimum wage, whichever is greater
20	Cloakroom Attendant	Grade 8 or minimum wage, whichever is greater
21	Pages	Minimum Wage
22	Aide to Public Information Office	
23	(80 hours a week maximum)	Minimum Wage
24	Aide to the Chief Clerk	\$4.00/hr.

EMPLOYEES OF THE SENATE

27	Legal Counsel II	Grade 33
28	Legal Counsel I	Grade 29
29	Caucus Staff Director and/or	
30	Leader's Administrative Assistant	Grade 26 to Grade 34
31	Research Analyst	Grade 23 to Grade 28
32	Executive Secretary to the Secretary	Grade 24
33	Secretary to the Secretary of the Senate	Grade 20
34	Journal Editor	Grade 22 to Grade 24
35	Assistant Journal Editor	Grade 18 to Grade 20

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1	Composer	Grade 16 to Grade 18
2	Assistant Legal Counsel	Grade 23
3	Assistant to the Legal Counsel	Grade 17
4	Finance Clerk	Grade 22
5	Assistant Finance Clerk	Grade 17
6	Recording Clerk	Grade 20
7	Chief Indexer	Grade 18
8	Indexing Assistant	Grade 16
9	Records and Supply Clerk	Grade 19
10	Switchboard Operator	Grade 13
11	Secretary I	Grade 13
12	Secretary II	Grade 15
13	Administrative Assistant I	Grade 13
14	Administrative Assistant II	Grade 15
15	Bill Clerk	Grade 13
16	Assistant Bill Clerk	Grade 12
17	Postmaster	Grade 10
18	Sergeant-at-Arms	Grade 15
19	Assistant Sergeant-at-Arms	Grade 13
20	Chief Doorkeeper	Grade 10
21	Doorkeepers	Grade 9

22 Elevator Operator Grade 8 or minimum wage, whichever is greater
 23 Porter Grade 8 or minimum wage, whichever is greater
 24 Cloakroom Attendant Grade 8 or minimum wage, whichever is greater
 25 Pages Minimum Wage

26 *Be It Further Resolved*, That there shall be four classes
 27 of appointments as employees of the general assembly:

28 An "intermittent" employee is appointed to be employed
 29 for only a portion of the year, usually the legislative
 30 session, the period of which is set as provided by this
 31 resolution.

32 A "permanent" employee is appointed to be employed the
 33 year around.

34 A "full-time" employee is either a permanent or intermittent
 35 employee but is employed for a normal work week of 40 hours.

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1 A "part-time" employee is either a permanent or intermittent
 2 employee but is employed for less than a normal work week
 3 (40 hours).

4 *Be It Further Resolved*, That the exact grade for each
 5 position to which a range of grades is assigned by this
 6 resolution shall be set or changed for senate employees by
 7 the senate rules and administration committee and for the
 8 house employees by the house administration committee. The
 9 committees shall base the assignment upon the following
 10 factors:

- 11 1. The extent of formal education required of the position;
- 12 and,
- 13 2. The extent of the responsibilities to be assigned to
- 14 the position; and,
- 15 3. The amount of supervision placed over the position;
- 16 and,
- 17 4. The number of persons the position is assigned to
- 18 supervise and skill and responsibilities of those positions
- 19 supervised.

20 The committees shall report the exact grades assigned to
 21 each position on the next legislative day, or, if such action
 22 is during the interim, on the first day the senate or house
 23 shall convene. Any action by the senate or house to disapprove
 24 a report or a portion of a report shall be effective the day
 25 after the action.

26 *Be It Further Resolved*, That a senator may employ a Secre-
 27 tary I or Secretary II and each representative may employ
 28 a Clerk I or Clerk II who shall perform such clerical duties
 29 as the senator or representative shall designate under the
 30 administrative direction, as appropriate, of the secretary
 31 of the senate or the chief clerk of the house.

32 Each standing committee chairperson and each appropriations
 33 subcommittee chairperson shall designate a secretary or clerk
 34 of at least the Secretary II or Clerk II level to be the
 35 Secretary or Clerk to the Committee. Such Secretary or Clerk

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1 shall prepare committee minutes, committee reports, type
2 committee correspondence, maintain committee records, and
3 otherwise assist the committee. Such duties shall be performed
4 in accordance with standards which shall be provided by the
5 secretary of the senate and chief clerk of the house. The
6 chairperson of a senate committee may designate any Secretary
7 II to be the committee secretary. The chairperson of a house
8 committee may designate any Clerk II to be the committee
9 secretary. In making the designation, chairpersons shall
10 consider persons for possible designation as the secretary
11 or clerk to the committee in the following order:

12 First: The secretary or clerk to the chairperson.

13 Second: The secretary or clerk to the committee's vice-
14 chairperson.

15 Third: The secretary or clerk to any other member of the
16 committee.

17 Fourth: The secretary or clerk to any other member in
18 the same house as the committee.

19 A Secretary II and Clerk II is a person who has been
20 certified by Merit Employment as having passed a typing
21 performance examination of at least 40 words per minute, and
22 a stenographic performance examination of 80 words per minute
23 using either manual or machine dictation which will be
24 transcribed with 80% accuracy.

25 A Secretary I and Clerk I is a person who in the judgment
26 of the senator or representative employing such person
27 possesses the necessary skills to perform the duties such
28 senator or representative shall designate.

29 *Be It Further Resolved*, That as an alternative to each
30 senator and representative having a secretary, senators and
31 representatives may hire an administrative assistant I or
32 II as provided by this paragraph. Senators and representatives
33 may employ an assistant only if two or more senators or two
34 or more representatives or two or more senators and
35 representatives agree to jointly employ a secretary or

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1 secretaries and the assistant in a total number not greater
2 than the senators and representatives participating in the
3 joint hiring. Without an agreement between the hiring senators
4 or representatives to the contrary, the secretary or
5 secretaries and the assistant shall each devote their time
6 equally to each of the persons for whom they work.

7 An Administrative Assistant II is a person who has
8 participated in two years of education beyond high school
9 or the equivalent experience, demonstrates a comprehensive
10 knowledge of the legislative process and the capability of

11 properly using the English language in research papers.
 12 An Administrative Assistant I is a person who in the
 13 judgment of the senators or representatives employing such
 14 person, possesses the necessary skills to perform the duties
 15 such senators or representatives shall designate.

16 *Be It Further Resolved*, That a Legal Counsel II shall be
 17 a person who has graduated from an accredited school of law
 18 and is admitted to practice in Iowa as an Attorney and
 19 Counselor at Law and possesses either a Masters of Law degree
 20 or has at least two years of legal experience after admission.
 21 to practice.

22 A Legal Counsel I shall be a person who has graduated from
 23 an accredited school of law and is admitted to practice in
 24 Iowa as an Attorney and Counselor at Law.

25 *Be It Further Resolved*, That part-time employees shall
 26 be compensated at the scheduled hourly rate for their pay
 27 grade and step. While assisting interim committees they shall
 28 be compensated at the scheduled hourly rate in grade 16.

29 *Be It Further Resolved*, That employees of the general
 30 assembly shall be eligible for mobility within pay steps —
 31 at the discretion of the chief clerk of the house and the
 32 secretary of the senate, and subject to the approval of the
 33 house committee on administration or the senate committee
 34 on rules and administration, as the case may be — in accord
 35 with the following schedule:

Page 10

1 (1) Progression from step "1" to "2" and step "2" to "3"
 2 -- six months of actual employment.

3 (2) Progression from step "3" to "4", and step "4" to
 4 "5", and step "5" to "6" -- twelve months of actual employment.

5 (3) Progression from step "6" to "7" and step "7" to "8"
 6 -- twenty-four months of actual employment.

7 *Be It Further Resolved*, that in addition to the steps
 8 provided in the preceding paragraph, that secretaries to
 9 senators and clerks to representatives shall be eligible for
 10 additional steps as provided in this paragraph. At the
 11 discretion of the secretary of the senate and chief clerk
 12 of the house and subject to the approval of the senate
 13 committee on rules and administration or the house committee
 14 on administration, as appropriate, secretaries and clerks
 15 may be granted additional steps in accord with the following
 16 schedule:

17 1. One additional step for a secretary or clerk to a
 18 standing committee, ethics committee or appropriations
 19 subcommittee chairperson who is not the designated committee
 20 secretary or clerk.

21 2. One additional step for a secretary or clerk to a vice-
 22 chairperson or ranking member of a standing committee, or
 23 clerk to the minority or majority caucus staffs.

24 3. Two additional steps for a designated secretary or

25 clerk to a standing or ethics committee or appropriations
26 subcommittee or assistant floor leader, and one additional
27 step for each such position held beyond the first position.
28 4. Three additional steps for a secretary or clerk to
29 a majority or minority floor leader, speaker pro tempore or
30 president pro tempore.
31 Except as provided in subparagraph three (3), steps may be
32 granted only under one of the subparagraphs and only once
33 within each subparagraph.
34 *Be It Further Resolved*, That the entrance salary for
35 employees of the general assembly shall be at step 1 in the

Page 11

1 grade of the position held. Such employee may be hired above
2 the entrance step if possessing outstanding and unusual
3 experience for the position, provided that the entrance is
4 not beyond step 3. Such employee who is hired above the
5 entrance step shall be mobile above that step in the same
6 period of time as other employees in that same step. An
7 officer or employee who is moved to another position may be
8 considered for partial or full credit for their experience
9 in the former position in determining the step in the new
10 grade.

11 *Be It Further Resolved*, That a pay increase for employees
12 of one step within the pay grade for the position may be made
13 for exceptionally meritorious service in addition to step
14 increases provided for in this resolution, upon recommendation
15 of the secretary of the senate or chief clerk of the house
16 and the approval of the senate committee on rules and
17 administration or the house committee on administration.
18 Exceptionally meritorious service pay increases shall be
19 governed by the following:

20 a. The employee must have served in the position for at
21 least twelve months;

22 b. Written justification, setting forth in detail the
23 nature of the exceptionally meritorious service rendered,
24 must be submitted to the senate rules and administration
25 committee or house administration committee and approved in
26 advance of granting the pay increase;

27 c. No more than one exceptionally meritorious service
28 pay increase may be granted in any twelve month period.

29 *Be It Further Resolved*, That the secretary of the senate
30 and chief clerk of the house shall receive applications for
31 employment, arrange for any necessary examinations, contact
32 references and make recommendations for hiring. The senate
33 rules and administration committee and the house administration
34 committee shall both hire officers and employees for their
35 respective bodies and fill any vacancies which may occur,

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1 to be effective at such time as they shall set. The committee
2 shall report the names of those it has hired for the positions
3 specified in this resolution or the filling of any vacancies
4 on the next legislative day or, if such action is during the
5 interim, on the first day the senate or house shall convene.
6 Any action by the senate or house to amend or disapprove a
7 report or a portion of a report shall be effective the day
8 after the action.

9 The chief clerk of the house shall submit to the house
10 committee on administration and the secretary of the senate
11 shall submit to the senate committee on rules and
12 administration the list of names, or amendments thereto, of
13 employee classifications and recommended pay step for each
14 officer and employee. Such list shall include recommendations
15 for the pay step for all employees. Each respective committee
16 shall approve or amend the list of recommended classifications
17 and pay steps and publish said list in the journal. The
18 secretary of the senate and the chief clerk of the house shall
19 set the period of employment of intermittent employees under
20 such direction as the senate rules and administration committee
21 and the house administration committee may provide.

22 *Be It Further Resolved*, That permanent employees of the
23 general assembly shall receive vacation allowances, sick
24 leave, health and accident insurance, life insurance, and
25 disability income insurance as are provided for full-time
26 permanent state employees. The computations shall be
27 maintained by the finance clerks in each house and coordinated
28 with the state comptroller.

29 *Be It Further Resolved*, That should any employee have a
30 grievance concerning their compensation, hours of work,
31 performance of work, or other matter, the grievance shall
32 be resolved as provided in this paragraph or by procedures
33 determined by the senate rules and administration committee
34 or the house administration committee.

35 The grievance shall first be brought to the attention of

Page 13

1 the secretary of the senate or chief clerk of the house.
2 The procedure may be informal and oral except that the
3 secretary or chief clerk shall give his or her final conclusion
4 in writing.

5 An employee may appeal in writing an adverse ruling of
6 the secretary or chief clerk to the Senate Rules and
7 Administration Committee or the House Administration Committee
8 which shall consider the grievance. The committee's
9 consideration shall be informal except that accurate minutes
10 shall be kept and the final conclusion shall be in writing.

11 Any employee having a grievance shall have access to all
12 relevant house or senate records, may have the assistance

13 of counsel, and, if the grievance involves a disciplinary
 14 action, shall have a written statement of the grounds for
 15 the disciplinary action.

16 *Be It Further Resolved*, That the compensation of chaplains
 17 officiating at the opening of the daily sessions of the house
 18 of representatives and the senate of the sixty-eighth general
 19 assembly be fixed at ten (10) dollars for each house of the
 20 general assembly, and that mileage for chaplains be fixed
 21 at the rate of fifteen (15) cents per mile to and from the
 22 State Capitol. The secretary to the senator or representative
 23 who is the chairman of the chaplain's committee shall be
 24 granted one pay step in addition to the step for which that
 25 secretary is otherwise qualified.

Laid over under Rule 25.

HOUSE RESOLUTION 5
 By Committee on Rules

1 *Be It Resolved By the House of Representatives*, That
 2 the temporary rules of the house for the sixty-eighth
 3 general assembly be as follows:

4 DIVISION I-GENERAL RULES

5 RULE 1

6 CALL TO ORDER

7 The speaker shall take the chair at the hour to which the
 8 house shall have adjourned, and shall immediately call the
 9 members to order.

10 RULE 2

11 QUORUM CALL AND TIME OF CONVENING

12 The presiding officer may call for roll to be taken to
 13 determine those present and absent.

14 The house shall convene each Monday at 10:00 a.m. and at
 15 9:00 a.m. on all other legislative days, unless otherwise
 16 ordered, and adjourn no later than 6:00 p.m. without the
 17 consent of a constitutional majority of the house.

18 RULE 3

19 ABSENCES AND EXCUSES

20 No member shall be absent from the service of the house
 21 without leave unless that person be sick or unable to attend.

22 RULE 4

23 PRESERVATION OF ORDER

24 The speaker shall preserve order and decorum, and speak
 25 to points of order in preference to other members. The speaker
 26 shall decide questions of order subject to an appeal to the
 27 house by any two members.

28 Only past legislators, state officials, persons whose
 29 presence is deemed by the speaker to be of special significance
 30 to the house, and school classes accompanied by teachers
 31 seated in the galleries shall be introduced in the house.

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RULE 5

CLEARING OF THE CHAMBER

In case of any disturbance or disorderly conduct in the chamber of the house or any of its committee rooms, the speaker or chairperson of the committee meeting shall have the power to have it cleared.

RULE 6

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ORDER OF BUSINESS

The following order of business shall govern:

1. Correction of the journal.
2. Bills to be introduced.
3. Business pending at last previous adjournment.
4. Reports in possession of the house.
5. Bills on their passage.
6. Resolutions.
7. Messages and communications on the speaker's table.

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RULE 7

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RULES OF PARLIAMENTARY PRACTICE

The rules of parliamentary practice in Robert's Revised Rules of Order and Mason's Manual of Legislative Procedure shall govern the house in all cases where they are not inconsistent with the standing rules of this house or the joint rules of the senate and house.

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RULE 8

18

THE SPEAKER PRO TEMPORE

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The house shall, at its pleasure, elect a speaker pro tempore. When the speaker shall for any cause be absent, the speaker pro tempore shall preside, except when the chair is filled by appointment by either the speaker or the speaker pro tempore. The speaker or the speaker pro tempore shall have the right to name any member to perform the duties of speaker, but such substitution shall not extend beyond the adjournment. The acts of the speaker pro tempore shall have the same validity as those of the speaker. In the absence of both the speaker and the speaker pro tempore, the house shall name a speaker who shall preside over it and perform all the duties of the speaker with the exception of signing bills, until such time as the speaker or speaker pro tempore shall be present, and the person's acts shall have the same force and validity as those of the regularly elected speaker.

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RULE 9

35

AMENDMENT AND SUSPENSION OF RULES

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A motion to change or rescind a standing rule or order of the house requires one day's notice. A motion to suspend a rule, to table or take from the table, a matter requires

4 an affirmative vote of at least a constitutional majority.
 5 Postponing or changing the order of business requires an
 6 affirmative vote of at least a constitutional majority except
 7 for the control granted to the steering committee following
 8 its appointment.

9 RULE 10

10 APPOINTMENT OF STEERING COMMITTEE

11 The steering committee may be appointed by the speaker
 12 of the house on or after the Friday of the thirteenth week
 13 of the first session and on or after the Friday of the eleventh
 14 week of the second session. The steering committee shall
 15 have charge of all bills except appropriations bills and ways
 16 and means bills and bills that have passed the house and
 17 senate in different forms.

18 The steering committee shall place regular calendar bills
 19 on a steering calendar and steering non-controversial calendar.
 20 When the steering committee is appointed, the weekly and daily
 21 debate calendars shall consist of bills on the steering
 22 calendar, steering non-controversial calendar, appropriations
 23 and ways and means calendars, and all bills having passed
 24 the house and senate in different forms.

25 RULE 11

26 CALLING TO ORDER AND APPEALS FROM THE CHAIR

27 When any member in speaking, or otherwise, transgresses
 28 the rules of the house, the speaker shall, or any member may,
 29 call that person to order; in which case the member so called
 30 to order shall immediately sit down, but may be permitted
 31 with leave of the house to explain; and the house shall, if
 32 appealed to, decide the case, but without debate. If there
 33 be no appeal, the decision of the chair shall be submitted
 34 to; if the decision be in favor of the member so called to
 35 order, that person is at liberty to proceed. If the case

Page 4

1 requires it, that person shall be liable to the censure of
 2 the house.

3 RULE 12

4 RECOGNITION AND DECORUM IN DEBATE

5 When any member is about to speak in debate, or deliver
 6 any matter to the house, that person shall rise from that
 7 person's seat and respectfully address the presiding officer
 8 by that person's title, saying, "Mr. or Madam Speaker," and
 9 shall not proceed until recognized by the chair, and shall
 10 confine himself or herself to the question under debate and
 11 shall avoid personalities.

12 RULE 13

13 LIMIT ON DEBATE

14 No member shall speak more than once on the same question,
 15 without leave of the speaker, nor more than twice until every

16 member choosing to speak shall have spoken, except as provided
 17 in rule 87; provided further, when bills are being considered
 18 prior to their last reading debate thereon shall be limited
 19 to ten minutes to each member desiring to speak thereon, which
 20 may be extended by consent of the house.

21 **RULE 14**

22 **DECORUM DURING DEBATE**

23 While the speaker is putting a question or addressing the
 24 house, no one shall walk out of or across the house; and when
 25 a member is speaking, no one shall pass between that person
 26 and the speaker.

27 **RULE 15**

28 **FOOD PROHIBITED**

29 All food is prohibited from the house chamber while the
 30 house is in session.

31 **RULE 16**

32 **REPRESENTATIVES CHAIRS RESTRICTED**

33 No person other than a representative shall sit in a chair
 34 assigned to a member of the house of representatives during
 35 the time the house is in session.

Page 5

1 **RULE 17**

2 **STATING THE QUESTION**

3 When a motion is made, it shall be stated by the speaker;
 4 or, being in writing, it shall be passed to the desk and read
 5 aloud before debated.

6 **RULE 18**

7 **PUTTING THE QUESTION**

8 Questions shall be distinctly put in this form, to wit:
 9 "As many as are of the opinion that (as the question may be)
 10 say 'aye'"; and after the affirmative voice is expressed,
 11 "As many as are of a contrary opinion say 'no' ". If the
 12 speaker doubts or a member of the house requests, a nonrecord
 13 roll call vote may be taken.

14 **RULE 19**

15 **REFERRAL OF RULE VIOLATIONS**

16 The speaker shall, upon complaint of a member, or upon
 17 the speaker's own motion, refer any alleged violation of house
 18 or joint rules by house members, employees or staff to the
 19 house ethics committee upon an initial finding that an
 20 investigation is warranted.

21 The ethics committee shall investigate such allegations
 22 and report them back to the house with a recommendation.

23 **DIVISION II—EMPLOYEES OF THE HOUSE**

24 **RULE 20**

25 **CHIEF CLERK OF THE HOUSE**

26 The chief clerk of the house shall serve as parliamentary
 27 and chief administrative officer of the house under the

28 direction of the speaker of the house. The chief clerk shall
 29 have charge of the chief clerk's desk; be responsible for
 30 the custody and safekeeping of all bills, resolutions, and
 31 amendments filed, except when they are in the custody of a
 32 committee; have charge of the daily journal; have control
 33 of all rooms assigned for the use of the house; check all
 34 bills as to proper form prior to introduction; keep a detailed
 35 record of house action thereon; process the handling of

Page 6

1 amendments when filed and during the floor consideration of
 2 bills; insert adopted amendments into bills before transmitted
 3 to the senate and prior to final enrollment; supervise
 4 legislation printing and the distribution of printed material;
 5 and perform all other duties pertaining to the office of chief
 6 clerk.

7 **RULE 21**
 8 **LEGAL COUNSEL**

9 The legal counsel shall be a house employee under the
 10 direction of the speaker of the house. The legal counsel
 11 shall serve as chief legal officer of the house; supervise
 12 the legal counsel's office; clear all bills, resolutions,
 13 and amendments as to proper form prior to introduction; and
 14 provide assistance to house committees.

15 **RULE 22**
 16 **SERGEANT-AT-ARMS**

17 It shall be the duty of the sergeant-at-arms to execute
 18 all orders of the house or of its presiding officer; to perform
 19 all duties that may, from time to time, be assigned to that
 20 person connected with the policing and good order of the
 21 house; to exercise supervision over the ingress and egress
 22 of all persons to and from the chamber; to see that all
 23 messages, etc., are promptly executed; and that the hall is
 24 properly ventilated and open for the use of the members; and
 25 to perform all other services pertaining to the office of
 26 sergeant-at-arms.

27 **RULE 23**
 28 **CLERKS**

29 All clerks and stenographers of the house shall be under
 30 the general direction of the speaker and the chief clerk.
 31 Clerks and stenographers shall be on duty at the house from
 32 8:30 a.m. to 4:30 p.m. except when excused by the member
 33 to whom the clerk or stenographer is assigned. Clerks and
 34 stenographers shall perform such additional duties as may
 35 be assigned to them by the chief clerk.

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1 **RULE 24**
 2 **EXTRA COMPENSATION OF EMPLOYEES**

3 No employee shall receive any extra compensation, except
 4 as provided by the house, or tips for services performed while

5 on duty. Any violation of this rule shall be grounds for
6 removal.

7 DIVISION III—VISITORS AND LOBBYISTS

8 RULE 25

9 ADMISSION TO THE HOUSE; LOBBYING

10 The chamber of the house shall include the vestibule,
11 restrooms, cloak room, lounge, visitors' galleries, and floor
12 of the house.

13 The floor of the house shall consist of that area between
14 the press box, speaker's station, and the south wall behind
15 the last row of desks occupied by representatives, excluding,
16 however, the visitors' galleries.

17 Except as otherwise provided in this rule for registered
18 lobbyists, during a legislative day while the house is in
19 session, and one-half hour before the house convenes and one-
20 half hour after the house recesses or adjourns, no person
21 shall be admitted to the floor of the house except:

22 1. Members of the general assembly and authorized house
23 employees in the performance of their duties.

24 2. Former members of the general assembly who are not
25 registered lobbyists.

26 3. A general assembly member's family who shall be
27 restricted to the perimeter seating area only while the house
28 is in session.

29 4. Representatives of the press, radio, and television
30 who shall go directly to and from the press box.

31 5. Legislative interns assigned by the joint legislative
32 intern committee or approved by the chief clerk who shall
33 go directly to and from the seat of their assigned
34 representative or be seated in the perimeter seating area.

35 6. Chairperson, co-chairperson, and the executive secretary

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1 of a political party.

2 7. Personnel of the code editor's office, legislative
3 service bureau and fiscal director's office.

4 8. The governor's executive assistants and administrative
5 assistants, members of the state executive council, the
6 attorney general, the citizen's aide/ombudsman, and the
7 administrative rules coordinator who shall be confined to
8 the perimeter area.

9 No person admitted to the floor of the house, except members
10 of the general assembly, shall, while the house is in session,
11 lobby or attempt to exercise any influence with any member
12 for or against any matter then pending or that may thereafter
13 be considered by the house.

14 Notwithstanding the provisions of this rule regarding
15 admission to the floor of the house, a registered lobbyist
16 shall not be admitted to the floor of the house on any day

17 when the house is in session or committees are scheduled to
 18 meet from one-half hour before the house convenes or 9:00
 19 a.m. whichever is earlier, until one-half hour after the house
 20 adjourns or until 4:30 p.m., whichever is later, except to
 21 gain access to a committee room, or when the house is not
 22 in session upon the invitation of a member or members of the
 23 house for the purpose of visiting only with that member or
 24 members of the house.

25 Each lobbyist shall be given a copy of this rule when the
 26 lobbyist registers.

27 It shall be the duty of each member and employee of the
 28 house, or registered lobbyist who believes that this rule
 29 is being violated, to report such violation immediately to
 30 the sergeant-at-arms.

31 Any person for cause may be summarily dismissed from the
 32 chamber of the house, by action of the house, and shall forfeit
 33 that person's right to admission thereafter.

34 RULE 26

35 DISTRIBUTION OF LITERATURE

Page 9

1 No person not a member of the house of representatives
 2 shall distribute or cause to be distributed any pamphlets,
 3 material, or other printed literature in the house without
 4 the express permission of the chief clerk. Each piece of
 5 literature shall bear its source of distribution.

6 All pamphlets, material, or printed literature distributed
 7 by a member of the general assembly shall bear the name of
 8 the member.

9 RULE 27

10 DISTRIBUTION OF MATERIALS PRINTED BY THE STATE

11 A member of the house shall not distribute maps, books,
 12 and pamphlets such as, but not limited to Golden Dome, How
 13 a Bill Becomes Law, etc., which have been printed by the state
 14 of Iowa and upon which the name of the member of the house
 15 has been affixed unless the member has purchased the materials
 16 or unless the member has affixed the words "Paid for by the
 17 citizens of Iowa and distributed by representative (member's
 18 name)."

19 DIVISION IV – FORMS AND PROCEDURES 20 FOR BILLS AND OTHER DOCUMENTS

21 RULE 28

22 DOCUMENTS SIGNED BY THE SPEAKER

23 All acts, addresses and joint resolutions shall be signed
 24 by the speaker, and all writs, warrants, subpoenas, issued
 25 by order of the house, shall be under his or her hand and
 26 attested by the chief clerk.

27 RULE 29

28 PRESENTATION OF PETITIONS

29 All petitions, memorials and other papers addressed to
 30 the house shall be filed by the member with the chief clerk

31 or the chief clerk's assistant prior to the convening of the
 32 house. Each member upon filing any such petition, memorial
 33 or other paper shall endorse thereon that person's name and
 34 a failure to do so will cause the same to be ignored.

35

RULE 30

Page 10

1

CONSIDERATION OF RESOLUTIONS

2

2 Action on each resolution, except a memorial resolution,
 3 and proposition requesting information from a state official
 4 may not be taken until one day after the resolution or
 5 proposition has been printed in the journal and placed on
 6 the members' desks. After the resolution is adopted, the
 7 chief clerk shall transmit certified copies.

8

RULE 31

9

UNANIMOUS CONSENT CALENDAR

10 The speaker may, upon the request of three members, place
 11 on a unanimous consent calendar any house resolution or
 12 concurrent resolution which does not contain an appropriation
 13 and which has been laid over under rule 30.

14

14 If such resolution is placed on the unanimous consent
 15 calendar it may be removed only upon a written request
 16 submitted to the speaker by a member of the house.

17

17 If not removed after five legislative days, the chief clerk
 18 shall call up the resolution and without debate the speaker
 19 shall pronounce that it has passed by unanimous consent.

20

20 If the resolution is removed from the unanimous consent
 21 calendar, the speaker may again lay the resolution over under
 22 rule 30, place it on a different calendar, or refer the
 23 resolution to any of the standing committees of the house.

24

RULE 32

25

FORMS OF BILLS AND JOINT RESOLUTIONS

26

26 Every house bill shall be introduced by one or more members
 27 or by any standing or specially authorized committee of the
 28 house or interim study committee meeting during that general
 29 assembly. All bills and joint resolutions introduced shall
 30 be of typewritten copy with title, enacting clause, and body
 31 of bill as directed by the chief clerk of the house. One
 32 copy of each bill shall be presented in a bill cover and be
 33 accompanied by the number of copies of the bill and the title
 34 as shall be directed by the chief clerk. No bill shall be
 35 introduced nor shall the chief clerk accept the same unless

Page 11

1

1 an adequate explanation thereof is included at the end of
 2 each bill.

3

RULE 33

4

JOINT RESOLUTIONS

5

5 Joint resolutions shall be framed and treated as bills.

6 **RULE 34**
7 **TIME OF INTRODUCTION OF BILLS**

8 No bill or joint resolution under individual sponsorship
9 shall be read for the first time after 4:00 p.m. or
10 adjournment, whichever is earlier, on Friday of the 7th week
11 of the first regular session of the general assembly. No
12 individual requests for a bill draft will be accepted by
13 legislative service bureau after Friday of the 5th week of
14 the first session.

15 After adjournment of the first regular session, bills may
16 be prefiled at any time before the convening of the second
17 regular session. No bill or joint resolution under individual
18 sponsorship shall be read for the first time after 4:00 p.m.
19 or adjournment, whichever is earlier, on Friday of the 3rd
20 week of the second regular session of the general assembly.
21 No individual request for a bill draft will be accepted by
22 legislative service bureau after the Friday of the first week
23 of the second regular session.

24 However, bills or joint resolutions co-sponsored by the
25 majority and minority floor leaders, standing committees or
26 sifting committee may be drafted and introduced at any time
27 permissible under joint rule 18. House and concurrent
28 resolutions may be introduced at any time.

29 **RULE 35**
30 **INTRODUCTION AND READING OF BILLS**

31 All bills and joint resolutions to be introduced in the
32 house shall be typed into proper form and shall be filed with
33 the chief clerk no later than 4:30 p.m. on the legislative
34 day preceding its introduction. When the time for introducing
35 bills is reached in the regular order of business, the chief

Page 12

1 clerk will proceed in the same manner as if the bills were
2 introduced from the floor. This rule does not deny a member
3 the right to introduce a bill from the floor if the bill has
4 previously been typed in proper form.

5 Every bill shall receive two readings but no bill shall
6 receive its first and last readings on the same day.

7 A "reading of a bill" as required by these rules shall
8 consist of a reading of the title and enacting clause unless
9 otherwise demanded by a house member.

10 **RULE 36**
11 **FIRST READING, COMMITMENT AND AMENDMENT**

12 36.1. A bill is introduced into the house by an initial
13 or "first reading of the bill".

14 36.2. When the house is in session the first reading shall
15 consist of a "reading" as is provided in rule 35.

16 36.3. Upon a first reading of the bill, the speaker shall
17 state that it is ready for commitment or amendment; and the
18 speaker shall commit it to the standing or select committee,
19 or to a committee of the whole house. If to a committee of

- 20 the whole house, the house shall determine on what day.
 21 36.4. On a day when the house is not in session, the speaker
 22 shall cause a statement, which shall consist of the title,
 23 enacting clause, bill number and committee to which the bill
 24 is referred to be published in the House Journal. This
 25 publication shall constitute a first reading and commitment
 26 and shall contain the notation "read and committed under rule
 27 36.4".
 28 36.5. All amendments offered to bills on file or on the
 29 calendar shall be accompanied by such copies as the chief
 30 clerk shall direct.
 31 36.6. Such amendments shall give the number of the bill
 32 sought to amend and the chief clerk shall designate each such
 33 amendment thus: Amendment to House File, or Senate
 34 File, by

35 36.7. A bill reported out by committee shall go to the
Page 13

1 speaker who shall direct that the bill be placed on the
 2 calendar unless it covers subject matter more properly within
 3 the jurisdiction of some other standing committee, in which
 4 case the speaker shall refer the bill to the proper standing
 5 committee. However, it shall require an affirmative vote
 6 of a majority of the total committee members to authorize
 7 the introduction of any bill.

8 36.8 No amendment to the rules of the house, to any
 9 resolution or bill shall be considered by the membership of
 10 the house without a copy of the amendment having been filed
 11 with the chief clerk on the preceding day. No amendment or
 12 amendment to an amendment to a bill, rule of the house, or
 13 resolution shall be considered by the membership of the house
 14 without a copy of said amendment being on the desk of the
 15 entire membership of the house prior to consideration.

16 **RULE 37**

17 **COMMITMENT OF APPROPRIATION**
 18 **AND REVENUE BILLS**

19 All bills to appropriate money shall be referred to the
 20 appropriations committee, and all bills pertaining to the levy,
 21 assessment or collection of taxes shall be referred to the
 22 committee on ways and means.

23 **RULE 38**

24 **ARRANGEMENT ON CALENDAR**

25 Bills reported out for passage, or amendment and passage,
 26 or without recommendation, by a committee, shall be arranged
 27 on a daily calendar by the chief clerk at 4:30 p.m. in the
 28 order of the file number of said bills and following the
 29 preceding legislative day's daily calendar. The combined
 30 daily calendar shall make up the house calendar or order for
 31 the consideration of bills, except as otherwise provided
 32 herein. Priority shall be given to house over senate file
 33 numbers and to joint resolutions over bills.

34
35

RULE 39
DEBATE CALENDAR

Page 14

1 The members of the majority floor leadership shall cause
2 a weekly debate calendar to be prepared and distributed to
3 the house members by the chief clerk. Said calendar shall
4 be available by noon on the last session day of any week when
5 floor action by the house is scheduled for the next week.
6 Any bill except appropriations and ways and means bills not
7 listed on the debate calendar shall not be considered by the
8 house during the week covered by the debate calendar.

9 The majority floor leadership shall cause to be prepared
10 and distributed to the members at the opening of each session
11 day when floor action is scheduled, a daily calendar setting
12 forth the number, title, and order of consideration of bills
13 for the next session day that floor action is scheduled.

14 A bill listed on the daily calendar which is not taken
15 up in proper order shall be deleted from the debate calendar
16 and be placed on the regular calendar.

RULE 40

CONSIDERATION OF COMMITTEE AMENDMENTS

17 After a bill has been committed and reported back it shall
18 be considered on its first reading after the amendments of
19 the committee have been read.

RULE 41

AMENDMENTS TO SPECIAL ORDER BILLS

20 All amendments, except corrective amendments, to bills
21 special ordered more than five session days in advance of
22 the date set for debate shall be filed prior to the close
23 of the daily clip sheet of the session day two session days
24 prior to the date set for debate.

25 Amendments, to a special ordered bill, not timely filed
26 as provided in this rule shall not be in order.

27 A corrective amendment is an amendment which does not
28 substantively change the amendment or the bill.

29 The daily clip sheet shall close one hour after adjournment
30 or 4:30 p.m. whichever is later.

31 The time limits set for the filing of amendments on

Page 15

1 specially ordered bills shall not apply to bills special
2 ordered for less than five session days.

RULE 42

IRRELEVANT AMENDMENTS

3 No motion or proposition on a subject different from that
4 under consideration shall be admitted under color of an
5 amendment.
6
7

RULE 43

CONSIDERATION OF BILLS

8 Bills, including committee bills, reported out for passage,
9
10

11 for indefinite postponement, for amendment and passage, or
 12 without recommendation by the committee, shall not be acted
 13 upon until at least one day after the printed journal
 14 containing said report has been placed upon the desks of the
 15 members of the house.

16 Appropriations committee bills shall not be acted upon
 17 until at least two days after the printed bill has been placed
 18 on the desks of the members of the house.

19 The reports of the committees shall not be read while the
 20 house is in session except as herein provided. Said reports
 21 shall be printed in the journal immediately after they are
 22 filed with the chief clerk. Reports recommending bills for
 23 passage, for amendment and passage, or without recommendation
 24 shall stand approved unless written objections are filed
 25 during the first legislative day following their printing
 26 in the journal. If objections are filed, they shall be
 27 disposed of as soon as possible. Reports recommending
 28 indefinite postponement shall be governed by rule 49.

29 Upon an affirmative vote of at least a constitutional
 30 majority of the members, a report may be read before it is
 31 printed in the journal and while the house is in session,
 32 and acted upon at once.

33 RULE 44:

34 CONSIDERATION OF BILLS UPON LAST READING

35 No amendment, unless by way of correcting an error or

Page 16

1 omission, shall be received to any bill on its last reading,
 2 and no debate shall be allowed on the same.

3 RULE 45

4 ENDORSEMENT OF BILLS AND OTHER PAPERS

5 All bills, resolutions, petitions, memorials or other
 6 papers shall be accompanied by the name of the member
 7 presenting the same.

8 RULE 46

9 PRINTING OF BILLS AND JOINT RESOLUTIONS

10 Bills and joint resolutions shall be printed in form as
 11 provided by law and by rule. Each house may direct the
 12 printing of an additional number of its own bills. A
 13 substitute for a bill offered by a member or by a committee,
 14 where it is entirely or substantially a complete substitute
 15 for the particular bill, unless otherwise ordered, shall be
 16 printed as a substitute for the original bill (and the caption
 17 shall so indicate, giving the substitute the same number as
 18 the original bill, but reciting "substitute for" such bill),
 19 and such substitute bill shall by the file clerk be included
 20 in the bill file next to the original bill and such substitute
 21 bill shall not be printed in the journals.

22 Legalizing bills of a local or private nature shall be
 23 printed in bill form and placed in the files of the members,
 24 the same as other bills, in the order of their introduction.

25 The cost of such printing shall be deposited with the treasurer
 26 of state, in advance at a rate to be fixed, and the newspaper
 27 publication of the same shall be without cost to the state
 28 and the same shall not be published until the cost of same
 29 shall be paid to the secretary of state. No legalizing act
 30 may be introduced until all of the provisions of law shall
 31 have been complied with.

RULE 47

CERTIFICATION OF BILLS

33 When a bill shall pass it shall be certified by the chief
 34 clerk noting the day of its passage at the end thereof.
 35

Page 17

RULE 48

RECOMMITMENT

3 After the commitment and report thereof to the house, or
 4 at any time before its passage, a bill may be recommitted.

RULE 49

EFFECT OF INDEFINITE POSTPONEMENT

7 When a question is postponed indefinitely, it shall not
 8 be again acted upon during the session. Any bill reported
 9 back from a committee recommending indefinite postponement
 10 shall be disposed of within three legislative days after the
 11 printed journal containing said report has been placed upon
 12 the desks of the members of the house, otherwise the committee
 13 recommendation shall be considered adopted.

RULE 50

STATUS OF BILLS FOLLOWING

FIRST REGULAR SESSION

17 Except as provided in rule 3 of the joint rules all bills
 18 introduced in the first regular session of a general assembly
 19 which have not been withdrawn, defeated, or indefinitely
 20 postponed, shall at the opening of the second regular session
 21 be rereferred to a committee.

DIVISION V - COMMITTEE PROCEDURES

RULE 51

APPOINTMENT OF COMMITTEES

25 All committees shall be appointed by the speaker, unless
 26 otherwise especially directed by the house.

RULE 52

ORDER ON QUESTION OF COMMITMENT

29 When a resolution shall be offered or a motion made to
 30 refer any subject, and different committees shall be proposed,
 31 question shall be taken in the following order: The committee
 32 of the whole house; a standing committee; a select committee.

RULE 53

STUDY BILLS

35 A study bill is any matter which a member of the house

Page 18

1 wishes to have considered by a standing committee, other than
 2 appropriations, and which has not been included in a previously
 3 introduced bill. Upon taking possession of, or taking
 4 committee action on, a study bill, whichever is earlier, the
 5 committee chairperson shall submit three copies of such bill
 6 to the chief clerk's office for numbering.

7 A study bill which has not been assigned a number by the
 8 chief clerk's office prior to the report of the bill to the
 9 house shall be rereferred to a committee.

RULE 54**COMMITTEE MEETINGS**

12 No committee, except a conference committee, shall sit during
 13 the sitting of the house without special leave.

RULE 55**SMOKING IN COMMITTEES**

16 Smoking shall not be permitted in the house committee rooms
 17 while a committee is meeting.

RULE 56**ASSIGNMENTS TO SUBCOMMITTEE**

20 When a bill has been assigned to a subcommittee, the
 21 chairperson shall report to the House the bill number and
 22 the names of the subcommittee members and such reports shall
 23 be reported in the journal of the last legislative day of
 24 the week in which the bill is assigned.

RULE 57**OPEN MEETINGS**

27 Standing, sifting and steering committee meetings shall
 28 be open, and voting by secret ballot shall be prohibited.

RULE 58**QUORUM CALL**

31 At the convening of each committee meeting the roll of
 32 the committee shall be called listing those present and absent.

RULE 59.1**TIME OF FILING REPORT AND CONTENTS**

35 A report shall be filed with the chief clerk no later than

Page 19

1 10:00 a.m. of the legislative day immediately following the
 2 day of the committee meeting. The committee report shall
 3 be of public record and shall be published in the journal.

4 The report shall include the following information:

- 5 a. The time the meeting was scheduled to convene.
- 6 b. The time the meeting convened:
- 7 c. The members present at time of convening.
- 8 d. The time the meeting adjourned.

9 If any bills are finally disposed of in committee the
 10 report shall also include the ayes and the nays of the
 11 committee on such disposition.

RULE 59.2**MINORITY RECOMMENDATION**

14 The minority of the members of any committee may present
 15 its recommendations on the final disposition of any bill to
 16 the house, by attaching such recommendation to the committee
 17 report and the same shall be printed in the journal with the
 18 committee report.

19 RULE 60

20 COMMITTEE AMENDMENT

21 Whenever a committee amendment is proposed which would
 22 amend a committee amendment previously adopted, the amendment
 23 shall be drafted in the form of a substitute amendment and
 24 shall be considered as such.

25 RULE 61

26 COMMITTEE NOTICE AND AGENDA

27 Each committee shall prepare and publish a notice and
 28 agenda of each committee meeting at least one legislative
 29 day prior to the meeting.

30 The notice shall contain the committee name, the date,
 31 time and location of the meeting.

32 The agenda shall contain the matters to be discussed,
 33 including a list of bills, joint resolutions and study bills
 34 by number. The agenda should contain the names of individuals
 35 who are scheduled to appear before the committee and the

Page 20

1 organization which they represent.

2 A bill, joint resolution or study bill may not be reported
 3 out of committee if the bill was not included in the published
 4 notice and agenda unless this rule is suspended by a majority
 5 of the total membership of the committee.

6 RULE 62

7 COMMITTEE QUORUM

8 A majority of the total membership shall constitute a
 9 quorum of each standing committee.

10 RULE 63

11 COMMITTEE AMENDMENTS TO MOTIONS

12 All amendments made to an original motion in committee
 13 shall be incorporated in the motion and so reported.

14 RULE 64

15 TIME LIMIT ON COMMITTEE POSSESSION OF BILLS

16 After a bill has been in committee eighteen (18) legislative
 17 days following notation in the journal of referral to said
 18 committee, the bill may be withdrawn from the committee and
 19 placed on the calendar by an affirmative vote of not less
 20 than fifty-one (51) members of the house. This rule shall
 21 not apply to the committee on appropriations and the committee
 22 on ways and means.

23 RULE 65

24 COMMITTEE HEARINGS

25 When any matter is referred to a standing committee by
 26 motion of any member, it shall be the duty of the chairperson
 27 of such standing committee to notify such member of the time

28 of the sitting upon such matter referred, and such member
 29 shall be permitted to confer with such committee during their
 30 consideration of such matter.

31 No more than one-third of the membership of any standing
 32 committee shall be required for the purpose of requesting
 33 a public hearing to be held.

34 However, the rules of the appropriations committee and
 35 the ways and means committee may require a greater number,

Page 21

1 but not more than a majority of the total membership of the
 2 committee, for the purpose of requesting a public hearing
 3 to be held after the sifting committee has been appointed.
 4 Upon written request of such number or such lesser number
 5 as may be required by committee rules, the chairperson of
 6 a committee shall designate a time and place for a public
 7 hearing and make a public announcement thereof.

8 At least five days' notice shall be given before a public
 9 hearing is held. However, this requirement shall not apply
 10 after the steering committee is appointed.

RULE 66

SIFTING COMMITTEE

13 A sifting committee shall be appointed by the speaker of
 14 the house at such time during the progress of the session
 15 as the speaker, in that person's discretion, may see fit.

16 The speaker of the house, before the appointment of such
 17 committee and at such time as in the speaker's opinion such
 18 appointment is necessary, shall propound to the house the
 19 following question: "Shall a sifting committee be appointed
 20 at this time?"

21 And if after taking the vote by ayes and nays a majority
 22 of said vote shall be in favor of the appointment of said
 23 committee, the speaker of the house shall then at once appoint
 24 the said committee. No motion from the floor of the house
 25 by any member thereof shall be considered by the house for
 26 the appointment of said committee. Upon the appointment of
 27 the sifting committee, the steering committee is discharged.

28 The sifting committee shall have authority to place any
 29 bill remaining either on the house calendar or remaining in
 30 any committee on the sifting committee calendar, except
 31 appropriations bills and ways and means bills. No rule of
 32 the sifting committee shall require more than sixty percent
 33 vote of the members of the committee to place a bill on the
 34 sifting committee calendar. The requirement for preparation
 35 and distribution of a weekly debate calendar as provided in

Page 22

1 rule 39 is suspended upon appointment of a sifting committee.

2 A motion to withdraw a bill from the sifting committee

3 shall be in writing and filed with the chief clerk not less
 4 than two legislative days before it can be considered, provided
 5 that this shall not apply on the last two legislative days.
 6 Only one such motion can be made with reference to any
 7 particular bill.
 8 It shall require an affirmative vote of at least a
 9 constitutional majority of the members to withdraw a bill
 10 from the sifting committee.

11 RULE 67

12 LIMITATION ON FILING OF CLAIMS

13 A claim or claim bill, the subject matter of which has
 14 been considered or filed for consideration in the House or
 15 any committee thereof, in two or more prior sessions of the
 16 general assembly, shall not be considered by any committee
 17 or by the house unless it shall have been specifically referred
 18 to this session by a prior general assembly. The committee
 19 on claims is authorized to set a definite date after which
 20 it will not receive claims or claim bills for consideration.

21 DIVISION VI-COMMITTEE OF THE WHOLE

22 RULE 68

23 ORGANIZATION OF COMMITTEE OF THE WHOLE

24 In forming the committee of the whole house, the speaker
 25 shall leave his chair, and a chairman to preside in committee
 26 shall be appointed by the speaker.

27 RULE 69

28 RULES IN COMMITTEE OF THE WHOLE

29 The rules of the house shall be observed in committee of
 30 the whole house, so far as they are applicable.

31 RULE 70

32 BILLS IN COMMITTEE OF THE WHOLE

33 Upon bills committed to the committee of the whole house,
 34 the bill shall be first read throughout by the chief clerk
 35 or chairperson, and then read again or debated by clauses,

Page 23

1 leaving the preamble to be last considered. After report,
 2 the bill shall be again subject to debate and amendment before
 3 a vote is had on its last reading and passage.

4 RULE 71

5 AMENDMENTS BY COMMITTEE OF THE WHOLE

6 All amendments made to a report committed to a committee
 7 of the whole house shall be noted and reported as in the case
 8 of bills.

9 DIVISION VII-MOTIONS

10 RULE 72

11 FORM OF MOTIONS

12 Every motion, except subsidiary or incidental motions,
 13 shall be reduced to writing, if the speaker or any member
 14 desires it, but this exception shall not apply to motions
 15 to amend.

16

RULE 73

17

ORDER AND PRECEDENCE OF MOTIONS

18

19

When a question is under debate, no motion will be received except the following:

20

1. A motion to adjourn.

21

2. A motion to lay on the table.

22

3. A motion for the previous question.

23

4. A motion to postpone action until a certain day.

24

5. A motion to amend the bill under consideration by

25

striking the enacting words.

26

6. A motion to commit.

27

7. A motion to amend by committee.

28

8. A motion to amend by an individual.

29

9. A motion to postpone indefinitely.

30

These motions have precedence as listed.

31

A motion to postpone to a certain day, to commit, or to

32

postpone indefinitely a particular question will not be

33

considered more than once in the same day.

34

If a motion to amend a bill by striking the enacting words

35

is adopted, the action is equivalent to rejection of the bill.

Page 24

1

RULE 74

2

MOTIONS NOT DEBATABLE

3

Motion to lay on the table, to adjourn, for the previous

4

question, and appeals of a ruling of the presiding officer

5

shall be decided without debate.

6

RULE 75

7

MOTION TO ADJOURN

8

A motion to adjourn shall always be in order, except when

9

a member is speaking or the house is voting.

10

RULE 76

11

WITHDRAWAL OF MOTIONS

12

After a motion is stated by the speaker, or read by the

13

chief clerk, it shall be deemed to be in possession of the

14

house, but may be withdrawn by leave of the house.

15

RULE 77

16

COMMITMENT

17

Motions and reports may be committed at the pleasure of

18

the house.

19

RULE 78

20

RECONSIDERATION

21

A person voting on the prevailing side of a question may

22

move to reconsider the question which has been decided. The

23

floor manager if on the prevailing side of the measure shall

24

have the prior right to the motion if the motion is made on

25

the day the legislative action was taken and is printed in

26

the journal of that day's action. If the floor manager does

27

not exercise that right, then any representative voting on

28

the prevailing side may, on the same or the succeeding

29

legislative day, move for a reconsideration of the measure.

30 Any representative may call the motion up two legislative
31 days after the action to be reconsidered is taken.

32 If the motion is made within the last six days of the
33 session it shall be disposed of when made.

34 The motion to reconsider shall take precedence over all
35 questions except the consideration of a conference report.

Page 25

1 a motion to fix the day to which the house shall adjourn,
2 a motion to adjourn, and to recess.

3 A motion to reconsider any vote by which a bill or joint
4 resolution has passed or failed to pass the house shall require
5 a constitutional majority to be sustained. If the motion
6 to reconsider the vote on a bill or joint resolution prevails,
7 the motion to reconsider amendments thereto shall be in order
8 and shall be disposed of without delay.

9 A motion that the motion to reconsider be laid upon the
10 table shall be a single and indivisible motion which, if
11 carried, shall have the effect of preventing reconsideration
12 unless a motion to take from the table prevails.

-DIVISION VIII-VOTING

RULE 79

MANNER OF VOTING

16 During the taking of the vote of the house on any question
17 only those members at their desks and voting shall be counted
18 except that members meeting in a conference committee or in
19 administrative rules review committee at the time a vote is
20 taken on a question may have their vote recorded within 30
21 minutes or adjournment, whichever is first of that same
22 legislative day, providing the vote does not change the outcome
23 of the vote on that question.

RULE 80

DUTY OF VOTING

26 Except as limited by rule 79, every member who shall be
27 in the house when the question is put shall give his or her
28 vote, unless the house for special reasons shall excuse that
29 person; but such a member must ask to be excused before
30 commencing to take a vote on the main question.

RULE 81

LIMITATION ON RIGHT TO VOTE

33 No member shall vote on any question in which that person
34 is financially interested.

RULE 82

Page 26

VOTE OF THE SPEAKER

1 In all cases of a call of the ayes and nays, the speaker
2 shall vote; in other cases that person shall not be required
3 to vote unless the house is equally divided or unless, that
4

5 person's vote, if given to the minority, will make the division
6 equal, and in case of such equal division the question shall
7 be lost.

8 RULE 83

9 CALL OF THE HOUSE

10 Upon written request of five members, the presiding officer
11 shall compel the attendance of absent members for the
12 consideration of specified bills or resolutions.

13 A call of the house shall specify the propositions to which
14 it is to apply, and must be put into effect before roll call
15 is taken on any such proposition. Said request may be filed
16 with the chief clerk any time before final action upon the
17 proposed measures. The chief clerk shall immediately, after
18 said filing, notify the house.

19 A call of the house shall be lifted by affirmative vote
20 of fifty-one or more members, as to the whole house or as
21 to individual members.

22 RULE 84

23 METHOD OF CALLING THE HOUSE

24 Upon the call of the house, the names of the members shall
25 be called by the chief clerk, and the absentees noted after
26 which the names of the absentees shall again be called, and
27 the sergeant-at-arms be directed by the speaker to compel
28 their attendance, unless they are previously excused. Any
29 member occupying that person's seat during a call of the house
30 shall be counted by the speaker and that person's name entered
31 in the journal as being present but not voting for the purpose
32 of making a quorum.

33 RULE 85

34 METHOD OF CALLING THE ROLL

35 Upon calls of the house, or in taking the ayes and nays

Page 27

1 on any question, the electrical roll call system shall be
2 used. In the event the electrical roll call system is not
3 in operating order when it is necessary to take a vote, the
4 presiding officer shall order that the aye and nay votes be
5 taken by calling the roll in alphabetical order, except that
6 the name of the speaker of the house shall be called last.

7 During the casting of the vote with the voting machine,
8 the individual votes and the vote totals shall be shown on
9 the display boards. Before the voting machine is closed,
10 the presiding officer shall inquire of the house, "Have you
11 all voted?"

12 RULE 86

13 QUORUM AND DEMAND FOR AYES AND NAYS

14 A majority of the members shall constitute a quorum, and
15 upon demand of any two members the ayes and nays shall be
16 ordered; the names of the members demanding the ayes and nays
17 shall be entered in the journal.

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RULE 87

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PREVIOUS QUESTION

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When a member moves for a previous question, that member shall state whether the motion will apply to the main question, to all the amendments, or to particular amendments. The motion requires an affirmative vote of at least a constitutional majority of the members. If the motion for a previous question is not adopted, the house shall proceed in the same manner as before the motion was made.

If the motion is adopted, all debate must end and the house will vote upon the question except:

1. If the motion applies to the main question, the member in charge of the measure will have ten minutes to speak for the purpose of closing discussion before the vote on the measure is taken.

2. If the motion applies to an amendment, the member proposing the amendment will have five minutes to speak for the purpose of closing discussion before the vote on the

Page 28

1 amendment is taken.

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3. If a member has filed a written request with the chief clerk of the house indicating his or her desire to speak on a particular question. The request must be filed before the motion is made by the movant. The request allows a member to speak on a particular question before the closing discussion by the member who is in charge of the measure or who is proposing the amendment.

RULE 88

DIVISION OF THE QUESTION

Any member may call for a division of the question, which shall be divided if it comprehends questions so distinct that one being taken away, the remainder may stand separately for the discussion by the house. A motion to strike out being lost shall not preclude either an amendment or a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

Laid over under Rule 25.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 22 Labor and Industrial Relations

Providing for the reduction of unemployment benefits.

S.B. 23 Commerce

Providing that actions predicated on products liability shall not be

commenced for personal injury, death, personal injury resulting in death, or property damage which occurs more than five years after the date a product is first sold, leased, bailed or installed for use or consumption.

S.B. 24 Commerce

Relating to mechanics liens and contractor agent for payment of subcontractors.

S.B. 25 Judiciary and Law Enforcement

Providing a civil remedy, in addition to other civil and criminal remedies, for the making, uttering, drawing, delivering or giving of a check, draft or written order on a bank, person or corporation and obtaining property or services therefor, when the check, draft or written order is not paid when presented.

S.B. 26 Commerce

Relating to claims and actions arising in connection with the laws of products liability.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON RULES

Scheduled: 4:00 p.m., January 16, 1979

Convened: 4:00 p.m.

Adjourned: 4:45 p.m.

Present: Harbor, chair; Halvorson, vice-chair; Byerly, ranking member; Avenson, Conlon, Crabb, Husak, Lonergan, Maulsby, Menke, Patchett, Pope, Schroeder, West and Woods.

Absent: None

House Resolution 5, relating to the temporary rules of the house for the sixty-eighth general assembly.

Recommended **Do Pass**.

Fiscal note is not required.

Aye: Harbor, Halvorson, Conlon, Crabb, Maulsby, Menke, Pope, Schroeder and West.

Nay: Byerly, Avenson, Husak, Lonergan, Patchett and Woods.

AMENDMENT FILED

H-3058

H.F. 13

Spear of Lee

On motion by Halvorson of Clayton the House adjourned at 9:18 a.m., until 9:00 a.m., Wednesday, January 17, 1979.

JOURNAL OF THE HOUSE

Tenth Calendar Day—Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 17, 1979

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

Prayer was offered by the Reverend Walter Dutton, pastor of the Westminster Presbyterian Church, Des Moines, Iowa.

The Journal of Tuesday, January 16, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. William A. Castles, Dallas Center, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cusack of Scott and Arnould of Scott on request of Cochran of Webster.

PRESENTATION OF VISITORS

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

Twenty eleventh grade students from Sheffield-Chapin High School, Sheffield, Iowa, accompanied by Steve Spurr. By Welden of Hardin.

PETITIONS FILED

The following petitions were received and placed on file:

By Binneboese of Plymouth from two hundred eighty-one members of the Telco Credit Union, Brandt of Black Hawk from eighty-four constituents of the thirty-fifth district and Lind of Black Hawk from forty-three constituents all favoring share drafts.

INTRODUCTION OF BILLS

House Joint Resolution 5, by Krewson, Jochum, Shimanek, Brandt, Bina, Thompson, Lloyd-Jones, Larsen, Crawford, Egenes, Walter, Cusack, Johnson of Linn, Hoffmann, Kirkenlager, Evans, Howell, Halvorson of Clayton, Poffenberger, Hibbs, Clark of Cerro Gordo, McKean, Pelton, Davitt, Mullins, Cochran, Pope, Sherzan, Hanson of Delaware, Halvorson of Webster, Byerly, Pavich, Connors, Gettings, Shull, Lind, Oxley, Horn, Groth, O'Kane, Diemer, Bruner, Tofte, Lonergan, Spear, Rapp, Anderson of Jasper, Hummel, Connolly, Norland and Clark of Lee, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that equality of rights of men and women under the law shall not be denied or restricted by the state or by any of its political subdivisions.

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

House File 67, by Lind, a bill for an act allowing the elderly to pay their property taxes by working for the local jurisdiction.

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

House File 68, by Clark of Cerro Gordo, a bill for an act relating to filing and disclosure of medical and developmental information pertaining to an adopted child and the child's natural parents.

Read first time and referred to committee on **human resources**.

House File 69, by Clark of Cerro Gordo, a bill for an act to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes.

Read first time and referred to committee on **human resources**.

House File 70, by Clark of Cerro Gordo, a bill for an act prohibiting public utilities from increasing electricity and gas rates when customers use supplemental energy sources.

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

House File 71, by Cusack, a bill for an act authorizing cities to hold municipal elections, including municipal primary elections, on a partisan basis with use of major political party labels.

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

House File 72, by Hansen of O'Brien, a bill for an act relating to administration and distribution of interest in the permanent school fund.

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

House File 73, by Davitt, Pelton and Binneboese, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

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

House File 74, by Clark of Cerro Gordo, a bill for an act to require operators of school buses to be twenty-one years of age.

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

House File 75, by Perkins, a bill for an act amending the criminal code to prohibit the abandonment of dead bodies.

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

House File 76, by Smalley, a bill for an act to increase the amount of the personal exemption credit allowed under the state individual income tax.

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

House File 77, by Spear, a bill for an act to prescribe a minimum number of units of credit to be offered by approved high schools.

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

House File 78, by Hibbs, a bill for an act establishing the legal

age for the sale to and consumption of beer and alcoholic beverages at eighteen years of age.

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

House File 79, by Connors, a bill for an act to allow members of the office of citizens' aide to become notary publics.

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

House File 80, by Menke, a bill for an act regulating the sale of insurance and the receipt of fees from the sale of insurance by certain lending institutions and their owners and employees, and providing a penalty.

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

On motion by Halvorson of Clayton, the House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

ADOPTION OF SENATE CONCURRENT RESOLUTION 5

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 5, providing compensation for officers and employees of the general assembly, filed on January 16, 1979, and found on pages 155 through 165 of the House Journal.

Daggett of Taylor moved the adoption of Senate Concurrent Resolution 5.

A non-record roll call was requested.

The ayes were 91, nays none.

The motion prevailed and the resolution was adopted.

MOTIONS TO RECONSIDER
(Senate Concurrent Resolution 5)

I move to reconsider the vote by which Senate Concurrent Resolution 5 was adopted by the House on January 17, 1979.

DAGGETT of Taylor

(Senate Concurrent Resolution 5)

I move to reconsider the vote by which Senate Concurrent Resolution 5 was adopted by the House on January 17, 1979.

CONNORS of Polk

APPOINTMENTS BY THE SPEAKER

Speaker Millen announced the appointment of Representative Patricia Thompson of Polk County as Vice-chair of the House Administration Committee.

Speaker Millen announced the appointment of Representative Patricia Thompson of Polk County to the College Aid Commission to fill an unexpired term ending June 30, 1979.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 27 State Government

Relating to the requirements of the State Fire Marshal to promulgate rules for the transportation, storage and handling of liquefied natural gases.

S.B. 28 Ways and Means

Relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the Act retroactive.

S.B. 29 Energy

To prohibit a person from placing an improper type of motor gasoline into a motor vehicle, and providing penalties.

S.B. 30 Energy

To permit fuel distributors and dealers to purchase fuel from other than the grantor of a franchise when fuel is not available from the grantor, and providing penalties.

S.B. 31 Energy

Relating to discrimination by utilities against customers who use renewable energy sources.

S.B. 32 Energy

To define rights of access to sunlight.

S.B. 33 Ways and Means

Increasing the interest rate assessed on the redemption of real property sold at a tax sale.

S.B. 34 Ways and Means

To provide a penalty for failure to file the final inheritance tax return or for failure to timely pay the tax due and to increase the interest rate for late payment of the tax due.

S.B. 35 Ways and Means

Relating to the sale of property at a tax sale and the redemption of property sold at a tax sale.

S.B. 36 Ways and Means

Relating to the hotel and motel tax.

S.B. 37 County Government

To provide court appointed attorneys for county officers under certain circumstances.

S.B. 38 County Government

Relating to roads which are acquired by condemnation to provide a way to an owner or lessee who does not have access to an existing public road.

SPONSORS ADDED
(House File 78)

The following members requested to be added as a sponsor of House File 78.

CRAWFORD of Story
POPE of Polk

SPONSOR WITHDRAWN
(House Joint Resolution 1)

Crawford of Story requested to be withdrawn as a sponsor of House Joint Resolution 1.

COMMUNICATIONS

The following communications were received and are on file in the office of the Chief Clerk:

IOWA STATE COMPTROLLER

A report of the Sick Leave Actuarial Study pursuant to Chapter 1048, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

A report titled Highway Research and Development in Iowa pursuant to Section 310.36, Code of Iowa.

REPORTS OF COMMITTEE MEETINGS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following reports of committee meetings have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Scheduled: 9:15 a.m., Tuesday, January 16, 1979

Convened: 9:25 a.m.

Adjourned: 9:55 a.m.

Present: Menke, chair; Lind, ranking member; Cochran, Davitt, Horn, Ritsema, Stromer, Swearingen, and Tyrrell.

Absent: Connolly and Patchett.

Excused: Thompson.

Adoption of Subcommittee rules.

**APPROPRIATIONS SUBCOMMITTEE ON
HUMAN RESOURCES**

Scheduled: 9:15 a.m., Tuesday, January 16, 1979

Convened: 9:32 a.m.

Adjourned: 10:05 a.m.

Present: Bennett, chair; Lura, vice-chair; Husak, ranking member; Branstad, Crawford, Hummel, Krewson, Norland, Schneklath and Spear.

Absent: Rapp.

Excused: Lonergan.

Organizational meeting and adopted committee rules.

**APPROPRIATIONS SUBCOMMITTEE ON
NATURAL RESOURCES**

Scheduled: 9:15 a.m., January 16, 1979

Convened: 9:15 a.m.

Adjourned: 9:50 a.m.

Present: Tofte, chair; Larsen, vice-chair; Hullinger, ranking member; Hall, Hanson of Delaware, Kirkenslager, Pellett, Perkins and Shimanek.

Absent: Howell, Smalley and Woods (arrived 9:30 a.m.).

Committee rules were read and adopted.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Scheduled: 9:15 a.m., January 16, 1979

Convened: 9:15 a.m.

Adjourned: 9:50 a.m.

Present: Pelton, chair; Anderson of Audubon, vice-chair; Walter, ranking member; Conlon, Connors, Diemer, Doyle, Gettings, Jay, Johnson of Woodbury and Shull.

Absent: Chiodo (arrived 9:36 a.m.), Corey, and Evans (arrived 9:29 a.m.).

Organizational meeting. Reviewed and adopted committee rules.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Scheduled: 9:15 a.m., January 16, 1979

Convened: 9:25 a.m.

Adjourned: 9:55 a.m.

Present: Daggett, chair; McKean, vice-chair; Brandt, Bruner, De Groot, Halvorson of Webster, Hansen of O'Brien, Holt, Lloyd-Jones, and Van Maanen.

Absent: Jochum, ranking member; (arrived 9:35 a.m.) and Clark of Cerro Gordo (arrived 9:35 a.m.).

Joint organizational meeting and house rules adopted.

APPROPRIATIONS SUBCOMMITTEE ON STATE DEPARTMENTS

Scheduled: 9:15 a.m., January 16, 1979

Convened: 9:20 a.m.

Adjourned: 9:50 a.m.

Present: Lageschulte, chair; Dieleman, ranking member; Crabb, Danker, Groth, Hibbs, Johnson of Howard, Mullins, Pope, Sherzan, and Wells.

Absent: Welsh.

Excused: Lorenzen and Arnould.

Organizational meeting of the committee.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Scheduled: 9:15 a.m., January 16, 1979

Convened: 9:15 a.m.

Adjourned: 9:50 a.m.

Present: Hoffmann, chair; Poffenberger, vice-chair; Pavich, ranking member; Binneboese, Egenes, Johnson of Linn, Maulsby, O'Kane, and Schroeder.

Absent: Harbor (arrived 9:30 a.m.), Hinkhouse (arrived 9:30 a.m.), and Oxley (arrived 9:30 a.m.).

Excused: Bina and Clark.

Organizational meeting and adoption of rules.

COMMITTEE ON COMMERCE

Scheduled: 1:00 p.m., January 16, 1979

Convened: 1:00 p.m.

Adjourned: 1:22 p.m.

Present: Schroeder, chair; Conlon, vice-chair; Chiodo, ranking member; Bruner, Crabb, Dieleman, Egenes, Hibbs, Jochum, Johnson of Linn, Pelton, Pope, Rapp, Ritsema, Shull, Swearingen, Walter, and Woods.

Absent: Evans and Jesse.

Excused: Bina.

Study Bill 14, a bill for an act making a corrective amendment to section seven (7) of House File five hundred forty-five (545) enacted during the 1978 Session of the General Assembly, relating to the purchase by the risk management division of insurance for the board of regents.

Recommended **Do Pass**.

Fiscal Note is not required.

Aye: Schroeder, Conlon, Chiodo, Bruner, Crabb, Dieleman, Egenes, Hibbs, Jochum, Johnson of Linn, Pelton, Pope, Rapp, Ritsema, Shull, Swearingen, Walter and Woods.

Nay: None.

Absent or not voting: Bina, Evans and Jesse.

COMMITTEE ON WAYS AND MEANS

Scheduled: 1:30 p.m., January 16, 1979

Convened: 1:30 p.m.

Adjourned: 4:00 p.m.

Present: West, chair; Schnekloth, vice-chair; Norland, ranking member; Anderson of Jasper, Bennett, Brandt, Branstad, Chiodo, Clark of Lee, Cochran, Conlon, Connolly, Daggett, Davitt, Diemer, Evans, Hall, Hanson of Delaware, Harbor, Howell, Hummel, Husak, Jochum, Lageschulte, Lorenzen, Lura, Oxley, Pavich, Pope, Shull, and Thompson.

Absent: None.

Committee Bill (Formerly House File 13), a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

Recommended **Amend and Do Pass**.

Aye: West, Schnekloth, Norland, Anderson of Jasper, Bennett, Brandt, Branstad, Chiodo, Clark of Lee, Cochran, Conlon, Connolly, Daggett, Diemer, Evans, Hall, Hanson of Delaware, Harbor, Hummel, Husak, Jochum, Lageschulte, Lorenzen, Lura, Oxley, Pavich, Pope, Shull, and Thompson.

Nay: Davitt and Howell.

Absent or not voting: None.

Assigned bill to subcommittee.

AMENDMENTS FILED

H - 3059	H.R. 5	Menke of O'Brien
H - 3060	H.R. 5	Schroeder of Pottawattamie
		Smalley of Polk
H - 3061	H.R. 5	Halvorson of Clayton
		Harbor of Mills

H-3062	H.R. 5	Walter of Pottawattamie
H-3063	H.R. 5	Halvorson of Clayton Harbor of Mills
H-3064	H.R. 5	Halvorson of Clayton Harbor of Mills
H-3065	H.R. 5	Walter of Pottawattamie Pelton of Clinton
H-3066	H.R. 5	Spear of Lee
H-3067	H.R. 5	Horn of Linn
H-3068	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3069	H.R. 5	Avenson of Fayette
H-3070	H.R. 5	Jochum of Dubuque Bina of Scott
H-3071	H.R. 5	Bina of Scott
H-3072	H.R. 5	Bina of Scott
H-3073	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3074	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3075	H.R. 5	Perkins of Greene
H-3076	H.R. 5	Rapp of Black Hawk
H-3077	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3078	H.R. 5	Lonergan of Boone
H-3079	H.R. 5	Connolly of Dubuque
H-3080	H.R. 5	Lloyd-Jones of Johnson
		O'Kane of Woodbury
Dieleman of Marion		Welsh of Dubuque
Brandt of Black Hawk		Hall of Linn
Connolly of Dubuque		Halvorson of Webster
Binneboese of Plymouth		Jay of Appanoose
Sherzan of Polk		Anderson of Jasper
Bina of Scott		Jochum of Dubuque
Avenson of Fayette		Horn of Linn
Hinkhouse of Cedar		Bruner of Polk
Perkins of Greene		

H—3081

H.R. 5

Avenson of Fayette
Anderson of Jasper
Davitt of Warren

On motion by Halvorson of Clayton, the House adjourned at 2:08 p.m., until 9:00 a.m., Thursday, January 18, 1979.

JOURNAL OF THE HOUSE

Eleventh Calendar Day — Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 18, 1979

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

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

The Journal of Wednesday, January 17, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Murphy, Boone, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Egenes of Story for a portion of the morning session on request of Clark of Lee; Cusack of Scott and Arnould of Scott by Avenson of Fayette.

INTRODUCTION OF BILLS

House File 81, by committee on ways and means, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

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

House File 82, by Spear, a bill for an act relating to certain county offices by providing for the consolidation or separation of the offices and the appointment or election, and compensation of the officers.

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

House File 83, by Spear, a bill for an act abolishing county registrars of vital statistics and designating the clerk of the district court as the local registrar of vital statistics.

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

House File 84, by Krewson, a bill for an act to authorize cities to use chapter four hundred nineteen (419) of the Code in providing housing for the elderly or handicapped or for lower income families.

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

House File 85, by Clark of Cerro Gordo, a bill for an act requiring weekly reporting at an employment office in order to qualify for unemployment compensation benefits.

Read first time and referred to committee on **labor and industrial relations**.

House File 86, by Krewson, a bill for an act regarding publication of notice of the sale of public bonds.

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

House File 87, by Husak, Cochran, Daggett, Harbor, Avenson and Tyrrell, a bill for an act relating to the establishment of a force of reserve law enforcement officers for counties and the state of Iowa.

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

House File 88, by Anderson of Audubon, Husak, Danker, Harbor, Maulsby, Pellett, Johnson of Woodbury, Crabb, Lura, Holt, Branstad, Pope, Hansen of O'Brien, De Groot, Bennett, Schroeder, Spear, Hinkhouse and Lorenzen, a bill for an act to exempt from the state sales and use tax the gross receipts from the sale of gasohol.

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

House File 89, by Hansen of O'Brien, a bill for an act to establish a senior judge system.

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

House File 90, by Crabb, a bill for an act to transfer the authority to conduct performance audits and performance evaluations to the auditor of state.

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

House File 91, by Krewson, Brandt, Shimanek, Cusack, Thompson, Lloyd-Jones and Bruner, a bill for an act relating to a dissolution of marriage action and providing a penalty.

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

REREFERRED TO COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Speaker Millen announced that House File 53, previously referred to the committee on **state government**, is rereferred to the committee on **judiciary and law enforcement**.

ASSIGNMENT OF SEATS IN PRESS GALLERY

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

WEST PRESS GALLERY

AFSCME/Iowa Advocate	Larry Scarpino
Ames Daily Tribune	Richard W. Haugh
The Associated Press	Michael Holmes, William L. Eberline, Val Corley, Don Beman, Robert Jarboe, Jeanne Pinder, Leslie LaRoche
Cedar Rapids Gazette	Roger Munns, Ken Sullivan, Frank Nye
Des Moines Register	Charles Bullard, Bonnie Wittenburg, David Yepsen, James Flansburg
Des Moines Tribune	Steven S. Walters, Thomas R. Witosky, Richard L. Doak, David C. Elbert
Dubuque Telegraph Herald	Steve Kelly

Iowa AFL-CIO News	Joe Poduska
Iowa Daily Press Association	Harrison Weber, Peggy Rausch
Iowa Legislative Bulletin Service	Otto Weber
Iowa Press Association	Don Reid
Quad-City Times	Mark L. Brown
United Press International	Norman D. Sandler, Tamara Cooke, Charles Abbott, Marian McQuiddy, Thomas Peterson
Waterloo Courier	Bob Case

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

EAST PRESS GALLERY

Drake Broadcasting	Jeff Fothergill, Kerry Derrington, Jeanette Hofer, Barbara Schulman, Linda Knowles, Keith Martello, Alex Williams, Lillias Hogan, Mike Havice
Iowa News Radio- Black Hawk Broadcasting Co.	Eric M. Davis, Robert Singer
Iowa Public Broadcasting Network	Daniel Kevin Miller, Sara Frasher, Joan Krum, Rene Durazzo, David Woodward, Nancy Crowfoot
Iowa Radio Network	Gary Barrett
KCCI-TV	Phil Witt, Dave Warner, Greg O'Malia, Blake Bruner, Mark Braun, Rob Davis
KIMT-TV	Max Lee, Richard Connell, Mark Siegrist, Robert Godfrey
KIOA-KMGK Radio	Karen Marx
KRNT-KRNQ Radio	Diane Masciale, John McCarroll, Becky Blessing, Jackie Clark, Dale Woolery
KWAY-KCHA	Virginia Lageschulte
WHO News Radio	Van Carter, Dave Busiek, Greg Barman
WHO-TV	George Mills, Gerald Jensen
WOIAM-FM Radio	Sharon Robinson, Michael Boyle, Laura Forman, Frank Stasio
WOI-TV News	Bruce Frank, Chris Hanson, Sheri Luken

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-two members present, eighteen absent.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

MOTIONS TO RECONSIDER WITHDRAWN
(Senate Concurrent Resolution 5)

Daggett of Taylor asked and received unanimous consent to withdraw his motion to reconsider Senate Concurrent Resolution 5, providing compensation for employees of the general assembly, filed by him on January 17, 1979.

Connors of Polk asked and received unanimous consent to withdraw his motion to reconsider Senate Concurrent Resolution 5, providing compensation for employees of the general assembly, filed by him on January 17, 1979.

CONSIDERATION OF HOUSE RESOLUTION 5

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Resolution 5, providing temporary rules of the House for the sixty-eighth general assembly, filed on January 16, 1979 and found on pages 165 through 185 of the House Journal.

Byerly of Polk rose on a point of order questioning the validity of the committee action.

The Speaker ruled the point not well taken pursuant to Section 681, Mason's Manual of Legislative Procedure.

Avenson of Fayette offered the following amendment H-3069 filed by him and moved its adoption:

H-3069

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 3, line 4, by striking the words "a
- 3 constitutional majority" and inserting in lieu
- 4 thereof the words "fifty-six members".
- 5 2. Page 3, line 6, by striking the words "a
- 6 constitutional majority" and inserting in lieu
- 7 thereof the words "fifty-six members".

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall amendment H—3069 be adopted?"

The ayes were, 40:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Chiodo	Cochran
Connolly	Connors	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 55:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Melton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Arnould	Cusack	Egenes	Miller
Stromer			

Amendment H—3069 lost.

Spear of Lee offered the following amendment H—3066 filed by him and moved its adoption:

H—3066

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 4, by striking lines 27 through 30.

Roll call was requested by Spear of Lee and Byerly of Polk.

On the question "Shall amendment H—3066 be adopted?"

The ayes were, 41:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Arnould	Cusack	Egenes	Krewson
Miller			

Amendment H—3066 lost.

Jesse of Polk rose on a point of order and invoked Rule 75.

The Speaker ruled the point well taken.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 75, relating to the display of vote.

Action on amendment H—3097 was temporarily deferred.

Perkins of Greene offered the following amendment H—3075 filed by him and moved its adoption:

H—3075

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 6, line 10, by striking the words
- 3 "speaker of the house" and inserting in lieu there-
- 4 of the words "chief clerk".

Roll call was requested by Anderson of Jasper and Perkins of Greene.

On the question "Shall amendment H—3075 be adopted?"

The ayes were, 41:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Crabb
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Skimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Arnould
Miller

Crawford

Cusack

Hullinger

Amendment H—3075 lost.

Perkins of Greene offered the following amendment H—3090 filed by Perkins, Wells and Byerly from the floor and moved its adoption:

H—3090

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 6, line 8, by striking the word "COUNSEL"
- 3 and inserting in lieu thereof the words "COUNSELS".
- 4 2. Page 6, by striking lines 9 through 14 and
- 5 inserting in lieu thereof the following:
- 6 "The majority legal counsel shall be a house
- 7 employee under the direction of the speaker of the
- 8 house. The majority legal counsel shall serve as
- 9 chief legal officer of the majority party; supervise
- 10 the majority legal counsel's office; clear all
- 11 bills, resolutions, and amendments as to proper
- 12 form prior to introduction; and provide assistance
- 13 to majority members of house committees.
- 14 The minority legal counsel shall be a house
- 15 employee under the direction of the house minority
- 16 leader. The minority legal counsel shall serve as
- 17 chief legal officer of the minority party; supervise
- 18 the minority legal counsel's office; clear all
- 19 bills, resolutions, and amendments as to proper
- 20 form prior to introduction; and provide assistance
- 21 to minority members of house committees."

A non-record roll call was requested.

The ayes were 36, nays 53.

Amendment H—3090 lost.

Woods of Polk offered the following amendment H—3098 filed by him and Bina of Scott from the floor:

H—3098

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 6, line 10, by striking the words

- 3 "speaker of the house" and inserting in lieu thereof
- 4 the words "house administration committee".

Woods of Polk asked and received unanimous consent to withdraw amendment H—3098.

Spear of Lee offered the following amendment H—3097 filed by him from the floor and moved its adoption:

H—3097

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 4, line 28, by inserting after the
- 3 word "FOOD" the words "AND DRINK".
- 4 2. Page 4, line 29, by striking the word "is"
- 5 and inserting in lieu thereof the words "and drink
- 6 are".

Amendment H—3097 lost.

Howell of Floyd offered the following amendment H—3093 filed by him from the floor and moved its adoption:

H—3093

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 4, by striking lines 31 through 35.

Amendment H—3093 lost.

(House Resolution 5 pending at recess.)

On motion by Halvorson of Clayton the House was recessed until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

QUORUM CALL

Roll call was requested by Harbor of Mills and Smalley of Polk to determine that a quorum was present.

Present: 80

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Byerly
Chiodo	Clark, B.J.	Cochran	Conlon
Corey	Crabb	Davitt	De Groot
Dieleman	Diemer	Doyle	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Woods	Mr. Speaker

Absent: 20

Arnould	Branstad	Bruner	Clark, J.H.
Connolly	Connors	Crawford	Cusack
Daggett	Danker	Egenes	Evans
Gettings	Jesse	Larsen	Miller
Schroeder	Stromer	Welsh	West

FURTHER CONSIDERATION OF HOUSE RESOLUTION 5

The House resumed consideration of House Resolution 5, relating to the temporary rules of the House for the sixty-eighth general assembly.

Byerly of Polk offered the following amendment H-3110 filed by him from the floor:

H-3110

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 4, by inserting after line 30 the
- 3 following:

"RULE 16

NEWSPAPERS PROHIBITED

- 5
- 6 The reading of newspapers is prohibited in the
- 7 house chamber while the house is in session."
- 8 2. By renumbering as necessary.

Harbor of Mills rose on a point of order that amendment H-3110 was dilatory and, therefore, not in order.

The Speaker ruled the point not well taken and amendment H-3110 in order.

Byerly of Polk moved the adoption of amendment H-3110.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H-3110 be adopted?"

The ayes were, 19:

Binneboese	Chiodo	Cochran	Davitt
Doyle	Hinkhouse	Hörn	Howell
Hullinger	Husak	Jay	Jesse
Lloyd-Jones	O'Kane	Pavich	Rapp
Spear	Wells	Woods	

The nays were, 73:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	Oxley	Patchett	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	West
Mr. Speaker			

Absent or not voting, 8:

Arnould	Connolly	Connors	Cusack
Gettings	Larsen	Miller	Welsh

Amendment H-3110 lost.

Cochran of Webster offered the following amendment H—3109 filed by him from the floor and moved its adoption:

H—3109

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 5, by striking lines 27 and 28 and
- 3 inserting in lieu thereof the following:
- 4 "and chief administrative officer for the house.
- 5 The chief clerk shall".

Roll call was requested by Cochran of Webster and Rapp of Black Hawk.

On the question "Shall amendment H—3109 be adopted?"

The ayes were, 41:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker		

Absent or not voting, 5:

Arnould	Cusack	Krewson	Lind
Miller			

Amendment H—3109 lost.

Woods of Polk offered the following amendment H—3111 filed by him and Bina of Scott from the floor and moved its adoption:

H—3111

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 5, line 28, by striking the words
- 3 "speaker of the house" and inserting in lieu
- 4 thereof the words "house administration
- 5 committee".

Amendment H—3111 lost.

Jochum of Dubuque offered the following amendment H—3070 filed by him and Bina of Scott and moved its adoption:

H—3070

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 7, by striking lines 26 through 28
- 3 and inserting in lieu thereof the following:
- 4 "3. A general assembly member's family."

Roll call was requested by Jochum of Dubuque and Bina of Scott.

Rules 69 and 70 were invoked.

On the question "Shall amendment H—3070 be adopted?"

The ayes were, 39:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Chioldo	Connolly
Connors	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb

Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Arnould	Brandt	Cochran	Cusack
Miller			

Amendment H—3070 lost.

(House Resolution 5 pending at recess.)

PRESENTATION OF VISITOR

Crabb of Crawford presented to the House the Honorable Louis Peterson of Woodbury County, former member of the House representing the Fifty-second District.

On motion by Halvorson of Clayton the House was recessed until 7:45 p.m.

EVENING SESSION

The House reconvened, Speaker Millen in the chair.

COMMITTEE TO NOTIFY THE SENATE

Egenes of Story 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: Egenes of Story, Lorenzen of Scott and Norland of Worth.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Egenes of Story, chair 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 in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 3, duly adopted, the joint convention was called to order, President Branstad presiding.

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

Senator Hultman of Montgomery moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Robert D. Ray that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Schwengels of Jefferson, Brown of Poweshiek and Jensen of Bremer, on the part of the Senate, and Representatives West of Marshall, Ritsema of Sioux and Walter of Pottawattamie, on the part of the House.

The Justices of the Supreme Court and the Judges of the Appellate Court were escorted into the House chamber.

The committee waited upon Governor Robert D. Ray and escorted him to the Speaker's station.

President Branstad presented Governor Robert D. Ray who delivered the following budget message:

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices of the Supreme Court and members of the Appellate Court, State Officials, Senators and Representatives, and Iowans:

I want to begin this evening by extending my thanks and my compliments to our hosts here in the House chamber. I'm glad you now have a good microphone that works...

This Budget Message is my third speech to the legislature in ten days. So far, I have already outlined a thirty-four point legislative program, and highlighted half-a-dozen big issues which will demand attention this year and in the 1980's.

In my Condition of the State Message, I also reported to you on Iowa reaching a record employment level in 1978, on a surge in residential construction, bumper harvests last fall, strong gains in farm income, and total personal income in Iowa growing ahead of the inflation rate.

Those achievements gave me good cause to say in my Inaugural Address that Iowa does indeed have "an extraordinary quality of life." I also said last Friday that Iowa is "a manageable statewide laboratory for progress." I really believe that.

Look at the progress we have already made:

- * A railroad branch-line assistance program upgrading eight hundred miles of track — more than all the other states combined.
- * The nation's first cost-share soil conservation program, helping ten thousand farmers to curb soil erosion.
- * Great strides in perinatal health care, helping to save the lives of five hundred Iowa babies every year.
- * Tuition grants, now giving nine thousand, five hundred young Iowans options for higher education.
- * Iowa's Housing Authority, pumping \$170 million into building new dwellings for low and middle-income Iowans.

These are a few programs I have fought for. And, these are programs the legislature has funded. They work, and they help our Iowans.

Today, I am presenting to you the Governor's Budget for the 1979-81 biennium. This budget is more than a series of numbers and tables and pie-charts. It is a framework for further progress for Iowa...for future progress for Iowa, for the next two years, and into the "eighties."

Before I tell you what this budget does, I want to tell you what this budget does not do.

This budget calls for no increase in income tax rates...and no increase in sales tax rates!

Iowans across this state have heard me talk about government "living within its means." We're doing that. And, we're going to keep doing that for the next two years as well.

Iowans elect us to hold the line on taxes. And, they elect us to cut taxes when we can.

We've done that here in Iowa:

- We now have limits on property taxes, and, when adjusted for inflation, property taxes in Iowa have dropped in the last eight years.
- We now have the Elderly Tax Credit, giving real property tax relief to Iowans who need it the most.
- And, we no longer have the sales tax on food and drugs, a savings for Iowans day after day, week after week, year after year.

In 1979, we can do even more:

- We can wipe out the sales tax on residential utility bills for energy. Iowans will save even more than originally estimated — \$24 million a year from this tax cut.
- We can start to repeal the sales tax on machinery and equipment, go ahead and phase-out the personal property tax, and set up a local property tax moratorium. All would help bring new and expanded industry for Iowa and, most importantly, create new jobs for our workers.

We can afford these tax reductions in 1979. And, I ask you to approve these tax reductions in 1979!

It was President Woodrow Wilson who said, "...as important as legislation is vigilant administration." I agree. That's why we have been working overtime to hold down state spending. Here again, we have had some success, as recognized by the Iowa Taxpayers Association.

For 1979, I have already recommended ten proposals to make government work better and save tax dollars. I have announced the creation of the Second Governor's Economy Committee to spur efficiency and save tax dollars.

And, I am asking this evening for a special management team in our Comptroller's Office. This unit will be yet another tool to strengthen management, prevent problems and save tax dollars.

Keeping the lid on spending is never easy. It is especially difficult when we are hit with the one-two punch of uncontrolled inflation led by the federal government, and, the burden of additional people on the payroll, mandated by the federal government.

We set about this budget-making process with a determination to be firm and a reluctance to add new programs and new employees.

We also resolved to be fair, and to consider new ideas where they could offer relevant service to our Iowans.

We spent hundreds of hours listening in budget hearings and again, opened up the process with public hearings so our Iowans could tell us how they want their tax money used.

Our departments utilized modified zero-base budgeting and most did a good job of paring their requests. Nonetheless, after careful review, we still slashed departmental budgets by a total of \$153 million. We also turned down agency askings for an additional nine hundred twenty-five employees. And, today I submit to you a balanced budget, and also a budget that targets our resources directly toward meeting important human needs.

Let's look at this budget:

EDUCATION

Iowa is looked at as a learning leader. Offering a good education for young Iowans, from Grades K-12 and at our area schools, colleges and universities has been a top priority in the 1970's. And this evening, I can tell you it will remain a top priority in the 1980's.

State funding of foundation school aid will increase by \$60 million in fiscal year 1980 and up another \$40 million in fiscal year 1981. This is substantial support for education!

In addition, this budget provides \$4½ million for private school transportation and \$400,000 for private school textbooks.

For Iowa's Regents institutions, I call for funds to help cover costs of larger enrollments. I call for \$3.5 million to make our campuses accessible to handicapped Iowans. I call for your support of a new and much needed library addition at Iowa State University, and other capitals, totaling \$11 million. I call for funding to open new classrooms just constructed. And, I call for additional medical staff at University Hospitals in Iowa City, and an increased Family Practice Program to serve our Iowans and keep them healthy.

My budget also provides significant increases for Iowa's fifteen area community colleges, a boost in the maximum level for the Tuition Grant program, and alternative weekend programming for I.P.B.N.

We ought to keep offering young Iowans quality education to prepare them for productive careers. And, this budget does just that. I ask you to support it and let Iowa school children and college students know that we care about their future!

SENIOR IOWANS

A lot of older people live here in Iowa. We have the third highest percentage of senior citizens of any state in the country. So, it goes without saying that meeting the needs of senior Iowans is a pre-eminent priority.

The budget I present this evening addresses those needs. We are increasing the Elderly Tax Credit program by \$2.8 million. We are establishing a new "Eldercare" program to help older Iowans to stay in their homes. And, we are also boosting funding of local nursing aids and senior centers.

We ought to keep offering senior Iowans the chance to enjoy an enriching retirement. This budget does just that. I ask you to support it and assure Iowa's older citizens that we care about their special needs.

HUMAN SERVICES

Most of us, in some fashion, share in the abundance of our state. Most of us enjoy a quality of life better than our parents and better than people who live elsewhere on our Earth. Most of us. But not all of us. Some Iowans are not always able to learn and work, to earn and save, to build and grow, and to relax and enjoy.

And few would really question the proper role of government in providing some meaningful assistance to these people. We do that here in Iowa, and we should.

The Governor's Budget for 1979-81 includes funding to better deliver and administer these needed human services. Here are some examples:

- * A \$4 million hike in support for Medicaid.
- * Continued support for day care centers.
- * Increased payments for dependent children.
- * Over \$1½ million for the new Juvenile Justice Law.
- * \$500,000 for unitization and continued backing of Community Based Corrections and the Prisoner Employment Program.

We ought to keep offering hope and the promise of opportunity to those Iowans who, in one way or another, deserve our compassionate concern. And this budget does just that. I ask you to support it and tell our Iowans who must have help that we care about their problems.

AGRICULTURE AND NATURAL RESOURCES

Along with its hard-working, productive people, Iowa is known for its rich soil,

fresh air and clean water. Our land is Iowa's lifeblood. It is the base for the world's greatest food producing nation. We have good reason to be proud of all our natural resources and, we also have good reason to protect our natural resources.

For Iowa agriculture, the \$2½ million Rural Rehabilitation Fund was invigorated last year by the Department of Social Services. To make this program even more successful, I'm recommending its transfer to the Department of Agriculture, where it logically fits.

I am also requesting that we add \$250,000 to this fund, and, that we guarantee low-interest loans to young Iowa farmers.

Along with one hundred percent productivity, this is an exciting move to benefit rural Iowa!

My budget increases funding for soil conservation and environmental protection. It also includes \$3 million for Conservation Commission capital projects including the Open Spaces Program.

We ought to keep doing our part to encourage a strong agricultural economy, while also enhancing our environment. And, this budget does just that. I ask you to support it and remind our farmers, and indeed, all of our citizens, that we care about them and our precious land and resources.

LOCAL GOVERNMENT

There is much more to government here in Iowa than the Governor and the Legislature, and our judicial branch. There are others who decide the destiny of this state, not just those of us who work in the capitol. And, rightfully so.

During one of our public budget hearings, Mayor Ken Kew of Mason City, the President of the League of Iowa Municipalities, said, "Local government is a vital business." I concur with that statement, and my budget confirms that. It includes much help to Iowa's vital local units of government.

- * \$13 million each year for our Municipal Assistance Program.
- * \$4.9 million for aid to counties.
- * \$4.5 million in D.E.Q. sewer grants.
- * \$2.2 million for local public transit programs.
- * And, nearly \$4 million dollars of new property tax relief for counties, half through state payments for local substance abuse programs, and half through federal reimbursement for certain residents at our mental health institutes.

We ought to keep offering specific support for our cities and counties. And, this budget does just that. So does urban revitalization, which has so much potential. I compliment you for working on that so early in the session. I ask you to support both and prove to Iowans that we care about strengthening useful government close to home.

OTHER BUDGET PRIORITIES

There are several other significant askings in this financial plan for Iowa. And, I want to very briefly mention a few of them. My budget calls for:

- A \$16½ million combination of Regents bonding and appropriations to pay for energy audits and retro-fitting of state buildings...an investment that will save energy and save money.
- Continued state support of novel railroad branch-line assistance.
- A physical fitness coordinator in the Department of Health.
- A special needs survey and more assistance for Iowa's handicapped.
- Expanded interpreter services for deaf Iowans.
- Continued operation of Iowa's European Office.
- And, special contingency funds to be allocated by the Executive Council for emergencies and unscheduled operating needs.

My budget plans for salary adjustments for state employees within the President's anti-inflation guidelines. We will be making final recommendations in March once employee negotiations have been concluded.

Modest pay hikes for our department heads are also in this budget. Their salary bill was held hostage by last year's Legislature and finally scuttled in the final hours, as many of you will recall. I expect this Legislature to treat these people with the fairness and consideration they deserve.

In the budget book you will receive next week, there are obviously hundreds of line-items which I cannot begin to mention this evening. And, I want to stress that their exclusion from my remarks should not diminish their importance. I ask you to examine them. And, I ask you to support them.

*

In this Budget Message I want to address two additional major areas of concern — property taxes and declining enrollments. Each is a thorny issue, and each demands attention.

PROPERTY TAXES

Temporary legislation affective property taxes was enacted in 1977. It expires this year. So it's time in 1979 to enact more permanent property tax legislation . . . and I advocate several points:

1. A return to retroactive equalization to correct disparities in property valuations.
2. One hundred percent productivity for agricultural land.
3. Six percent annual limits on increases in property tax assessments for residential and agricultural property and a new class — rental residential property.
4. Along with the increased Elderly Tax Credit, a new Renter Credit for low-income tenants. This initial tax program has an annual cost of \$4.3 million — something we can do to provide relief for an estimated 43,000 Iowa renters!

Nobody likes to pay property taxes — that we all know. Still, we can build on our enviable record. We can again move to cushion Iowans from the kinds of jolting tax jumps experienced in other parts of the nation. And we should be doing exactly that to help our taxpayers.

DECLINING ENROLLMENTS

Because of the drop in the birth rate, Iowa's public school enrollments have declined by 72,000 students in the last eight years. And, enrollments will likely drop even more in the next five years.

Fortunately, our school foundation plan has furnished equitable, flexible, yet solid support for education, while shifting increased school costs off property taxes. While so many other states struggle to cope with crisis after crisis, we have been able to maintain quality education in Iowa.

Our challenge now is to adjust for continued declining enrollments. To meet that challenge, I am tonight setting forth several answers. They are:

1. Establishing a guaranteed enrollment cushion for schools — set at one-third the student total to provide a firm budget base to cover fixed costs.
2. Allowing schools to adjust funding for the remaining two-thirds using enrollment figures for the previous year, or the year before that, whichever is greater.
3. Computing allowable growth on changes in the consumer price index.
4. Appropriating \$900,000 to help schools pay for higher transportation costs.
5. Combining the existing schoolhouse and site levies into one, to be set by local school boards subject to reverse referendum.

These recommendations should give Iowa schools a sound footing and better planning. More importantly, they will continue to give our school kids an excellent education. And, wouldn't you agree, that after all, that is exactly what we want for Iowa?

*

The budget I offer today reflects restraint and careful balance. With the help of our Governor's Economic Advisory Committee, we have been able to project revenues of \$1.608 billion for fiscal year 1980 and \$1.734 billion for fiscal year 1981. Net appropriations for fiscal year 1980 are \$1.646 billion and for fiscal year 1981, \$1.697 billion — minus salary adjustments for state employees.

This budget will end with projected revenues running ahead of expenditures. Our biennium ending balance is estimated at \$111.3 million — before subtracting salary increases.

This is a balanced budget. This is a cautious and prudent budget. Not all states can say that — and some have seen taxpayer revolts.

The breeze blowing eastward from California has crossed our State, and many of you are talking about locking in the future with Constitutional spending limits. I can appreciate why this appears to be appealing. But, there is also some value in observing those states that have taken this action, and learning from their experiences.

Any amendment to the Iowa Constitution requires approval by two consecutive General Assemblies and then ratification by our Iowans. Thus, an amendment approved in 1979 would languish for two years, waiting for the next new General Assembly, in 1981.

Since we have the luxury of a little time, planned for by our Iowa founders, we should use it very thoughtfully to study this controversial approach to spending. Meanwhile, we should redouble our efforts to hold down taxes and spending — a goal I hope we all want to accomplish.

In the weeks and months ahead, you will tug and tangle with each other, and I expect, with me, on how best to distribute revenues and uphold principles.

There will be legitimate tension as you press to do what must be done to meet the needs here and now. You must also be oriented toward the needs of "Future Iowa." Both are important — for to shortchange either the present or the future is to weaken our common enterprise.

As you go about your work, I want to offer my cooperation and assistance and that of my staff and the Comptroller's Office. Our new Comptroller, Ronald Mosher, will be coming home to Iowa shortly. He will want to work with you, and so does Bill Krahl, who has done such a splendid job as Acting Comptroller during this budget cycle.

It was the great statesman Henry Clay who said "... statistics are no substitute for judgment." That is indeed true.

This evening, I will leave you with a lot of statistics . . . and, with this message, my judgment on the needs and hopes and yes, even the dreams of our Iowans. My budget requests are based on the belief that there are no shortcuts to good government. I also recognize that we cannot print money.

This balanced budget will do a lot for Iowa. But it will do only what we can afford to do.

As you review this budget, and the statistics, you too will have to use your individual and collective judgments . . . your best judgment. You will have to have the courage to make tough decisions.

It is my belief you are equal to that task.

Thank you.

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

Halvorson of Clayton moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Millen in the chair.

FURTHER CONSIDERATION OF HOUSE RESOLUTION 5

The House resumed consideration of House Resolution 5, relating to the temporary rules of the House of the sixty-eighth general assembly.

(House Resolution 5 pending at adjournment.)

EMPLOYEES OF THE HOUSE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, duly adopted, your committee on administration begs leave to submit the following list of pay grades and steps for the employees of the House:

Chief Clerk

David L. Wray

\$25,090.00 Annually

Position	Name	Grade and Step	Class of Appointment
Legal Counsel	William B. Welden	29-2	P-FT
Assistant Legal Counsel	Elizabeth J. O'Connor	23-8	P-FT
Executive Secretary to Speaker	Janet S. Clayton	23-2	P-FT
Leader's Administrative Assistant	Maryjo F. Welch	26-8	P-FT
Leader's Administrative Assistant	Michael McVey	26-1	P-FT
Leader's Administrative Assistant	Mark Brandsgard	26-3	P-FT
Clerk/Majority Leader	D. Joanne Brownell	15-8	I-FT
Caucus Staff Director	Paula Feltner	32-4	P-FT
Research Analyst	Tim Hyde	27-3	P-FT
Research Analyst	M. L. Triggs	24-4	P-FT
Research Analyst	Barbara Winters	23-2	P-FT
Research Analyst	Ronda Roberts	23-1	P-FT
Research Analyst	Rand Fisher	23-1	P-FT
Research Analyst	Benjamin S. Webb	23-1	P-FT
Research Analyst	Sandra L. Githens	25-6	I-FT
Clerk/Caucus Staff	Judith M. Johnson	15-2	P-FT
Caucus Staff Director	Joseph J. O'Hern	30-6	P-FT
Research Analyst	Bradley Kading	23-2	P-FT
Research Analyst	William C. Maloney	27-5	P-FT
Research Analyst	Linda J. King	24-5	I-FT
Research Analyst	Merlie Howell	23-2	P-FT
Research Analyst	Richard Norland	24-3	P-FT
Clerk/Caucus Staff	N. Kay Markell	13-6	P-FT
Executive Secretary to Chief Clerk	Roberta Chapman	23-6	P-FT
Clerk to Chief Clerk	J. Jeanne Coughlan	15-1	I-FT
Public Information Office Director	Patricia A. Barry	26-2	P-FT
Assistant to Public Information Office Director	Steven M. Tracy	18-1	P-FT
Supervisor of Clerks	Colleen Dillon	20-6	P-FT
Journal Editor	Elizabeth A. Isaacson	24-8	P-FT
Assistant Journal Editor	Vivian Anders	19-3	P-FT
Finance Clerk	Billie Jean Walling	22-8	P-FT
Assistant Finance Clerk	Debra K. Rex	17-5	P-FT
Recording Clerk	Alyce M. Elmitt	20-6	P-FT
Assistant to the Legal Counsel and Engrossing/Enrolling Clerk	Pauline E. Kephart	21-8	P-FT
Assistant to the Legal Counsel	M. Maxine Mann	19-8	P-FT
Chief Indexer	Juanita F. Swackhammer	18-8	P-FT
Indexing Assistant	Wilma F. Zika	16-4	I-FT
Composer	Carol S. Edwards	17-4	P-FT
Composer	C. Elaine Schoonover	17-1	P-FT
Supply Clerk	Ann A. McCarty	15-5	I-FT

Position	Name	Grade and Step	Class of Appointment
Swing Clerk	Alta Overton	15-1	I-FT
Switchboard Operator	Rosemary Massman	13-1	I-FT
Switchboard Operator	Beverly Baker	13-1	I-FT
Bill Clerk	Phyllis J. Fraizer	13-7	I-FT
Assistant Bill Clerk	Madeline E. James	12-6	I-FT
Postmaster	Mildred M. Weber	10-1	I-FT
Sergeant-at-Arms	Donald R. Emanuel	15-3	I-FT
Assistant Sergeant-at-Arms	Frank Christen	13-6	I-FT
Doorkeeper	Gus Adamson	9-2	I-FT
Doorkeeper	Luman Bell	9-3	I-FT
Doorkeeper	Carman Breeding	9-1	I-FT
Doorkeeper	Thomas W. Marmion	9-1	I-FT
Doorkeeper	Harold Missman	9-2	I-FT
Doorkeeper	John Russell	9-4	I-FT
Elevator Operator	Evelyn Seaney	8-5	I-FT
Aide to Public Information Office	Joyce S. Lohn	\$2.90 Per Hr.	I-PT
Aide to Public Information Office	Howard Girovich	\$2.90 Per Hr.	I-PT
Aide to Public Information Office	Barbara G. Sink	\$2.90 Per Hr.	I-PT
Speaker's Page	Ann Molis	\$2.90 Per Hr.	I-FT
Chief Clerk's Page	Judy M. Benstine	\$2.90 Per Hr.	I-FT
Page	Shelley D. Brauns	\$2.90 Per Hr.	I-FT
Page	Patricia L. Chalupsky	\$2.90 Per Hr.	I-FT
Page	Ann M. Coleman	\$2.90 Per Hr.	I-FT
Page	Marjene E. Connors	\$2.90 Per Hr.	I-FT
Page	Pamela L. Drennon	\$2.90 Per Hr.	I-FT
Page	Marilyn R. Drury	\$2.90 Per Hr.	I-FT
Page	Vonna J. Gochenour	\$2.90 Per Hr.	I-FT
Page	Laura A. Hansen	\$2.90 Per Hr.	I-FT
Page	Tammy A. Hendrickson	\$2.90 Per Hr.	I-FT
Page	Anders L. Johnson	\$2.90 Per Hr.	I-FT
Page	Sharon A. Johnson	\$2.90 Per Hr.	I-FT

Position	Name	Grade and Step	Class of Appointment
Page	Lori A. Lewis	\$2.90 Per Hr.	I-FT
Page	Teresa K. Logemann	\$2.90 Per Hr.	I-FT
Page	Diane J. Mehlhaus	\$2.90 Per Hr.	I-FT
Page	Christopher S. Parmley	\$2.90 Per Hr.	I-FT
Page	Carla J. Perkins	\$2.90 Per Hr.	I-FT
Page	Dawn R. Swink	\$2.90 Per Hr.	I-FT
Page	Warren A. Varley	\$2.90 Per Hr.	I-FT
Page	Dale A. Young	\$2.90 Per Hr.	I-FT
House Clerk	Madeline C. Allen	15-2	I-FT
House Clerk	Julie A. Anderson	15-7	I-FT
House Clerk	Laurine A. Anderson	13-2	I-FT
House Clerk	Christina J. Arlen	13-1	I-FT
House Clerk	Diane M. Avenson	13-7	I-FT
House Clerk	Norma L. Bakros	15-3	I-FT
House Clerk	Diane E. Beckman	13-2	I-FT
House Clerk	Kathleen A. Beckman	15-3	I-FT
House Clerk	Dorothy J. Breeding	15-2	I-FT
House Clerk	Florence D. Buhr	13-3	I-FT
House Clerk	R. Lugene Burns	15-6	I-FT
House Clerk	Pamela M. Byerly	13-3	I-FT
House Clerk	Mary Clay	15-3	I-FT
House Clerk	R. Jeannene Cochran	13-6	I-FT
House Clerk	Phyllis R. Cowles	15-8	I-FT
House Clerk	Deloris A. Cox	15-3	I-FT
House Clerk	Carol J. Crowfoot	15-6	I-FT
House Clerk	Mary E. Curtis	15-7	I-FT
House Clerk	Ruth A. Daggett	15-5	I-FT
House Clerk	Clarretta J. De Groot	13-2	I-FT
House Clerk	Mary K. Devin	15-3	I-FT
House Clerk	Andrea J. Doggett	13-3	I-FT
House Clerk	Janet E. Doyle	13-6	I-FT
House Clerk	Timothy C. Dunbar	13-2	I-FT
House Clerk	Joan R. Eggen	13-6	I-FT
House Clerk	E. Gail Eubank	13-1	I-FT
House Clerk	Mary Joan Eveleth	15-4	I-FT
House Clerk	Margaret R. Falk	15-7	I-FT
House Clerk	Nancy J. Farris	13-2	I-FT
House Clerk	M. Rosalie Flesher	15-5	I-FT
House Clerk	Joyce A. Gardner	13-1	I-FT
House Clerk	Virginia Garretson	15-6	I-FT

Position	Name	Grade and Step	Class of Appointment
House Clerk	Beverley J. Gettings	13-1	I-FT
House Clerk	Michelle J. Gorgas	15-4	I-FT
House Clerk	Vivian L. Haag	15-7	I-FT
House Clerk	Judith L. Hall	13-1	I-FT
House Clerk	Joan M. Hansen	13-1	I-FT
House Clerk	Barbara J. Harrison	15-4	I-FT
House Clerk	Holly S. Higgins	13-2	I-FT
House Clerk	Judith L. Hooker	13-4	I-FT
House Clerk	Donna B. Hove	13-2	I-FT
House Clerk	Jeanette L. Hughes	13-1	I-FT
House Clerk	Judy A. Jordan	15-5	I-FT
House Clerk	Jodi E. Julich	13-1	I-FT
House Clerk	Theresa L. Kehoe	13-1	I-FT
House Clerk	Katherine W. Kelly	13-6	I-FT
House Clerk	Linda S. Kimm	15-5	I-FT
House Clerk	Patricia A. King	15-3	I-FT
House Clerk	B. June Kullander	15-8	I-FT
House Clerk	Mary Kay LaBonia	13-3	I-FT
House Clerk	Janis P. Landess	15-4	I-FT
House Clerk	Gay P. Leverich	13-3	I-FT
House Clerk	Joyce L. Lewis	15-3	I-FT
House Clerk	Barbara J. Lind	13-2	I-FT
House Clerk	Carolyn R. Littrell	15-5	I-FT
House Clerk	Dona K. Lloyd	15-5	I-FT
House Clerk	Dixie L. Mather	13-1	I-FT
House Clerk	Carol A. McGinnis	13-2	I-FT
House Clerk	Nanci A. Memmelaar	15-7	I-FT
House Clerk	Betty C. Millen	13-5	I-FT
House Clerk	Sheryl B. Millen	13-2	I-FT
House Clerk	Shirley M. Miller	15-4	I-FT
House Clerk	Meredith H. Myers	13-1	I-FT
House Clerk	Anita M. O'Gara	13-1	I-FT
House Clerk	Marilyn K. Osborn	15-4	I-FT
House Clerk	Michelle J. Wray/Patchett	15-6	I-FT
House Clerk	Haleen E. Pellett	15-7	I-FT
House Clerk	Kathleen L. Peterson	15-4	I-FT
House Clerk	Dorothy E. Potthoff	15-6	I-FT
House Clerk	Carolyn J. Ramsay	15-3	I-FT
House Clerk	Mary A. Rhoads	13-1	I-FT
House Clerk	Nancy B. Rogers	13-2	I-FT
House Clerk	Rebecca A. Roorda	13-1	I-FT
House Clerk	Virginia A. Rowen	13-4	I-FT
House Clerk	LaVena M. Rucker	15-5	I-FT
House Clerk	Gerry L. Rydell	15-8	I-FT
House Clerk	Mildred L. Schnekloth	13-2	I-FT
House Clerk	Mary Ann Scott	15-7	I-FT
House Clerk	Julie T. Simon	13-3	I-FT
House Clerk	Patsy M. Soliday	15-4	I-FT

Position	Name	Grade and Step	Class of Appointment
House Clerk	Helen M. Stejskal	15-7	I-FT
House Clerk	Mildred E. Stewart	15-7	I-FT
House Clerk	Ruth Strait	15-2	I-FT
House Clerk	Harriet J. Stromer	13-6	I-FT
House Clerk	Marjorie B. Thompson	13-2	I-FT
House Clerk	C. Verneice Thomsen	15-6	I-FT
House Clerk	Luella R. Van Maanen	13-1	I-FT
House Clerk	Linda D. Wall	15-2	I-FT
House Clerk	Marcia K. Walter	15-2	I-FT
House Clerk	Elizabeth A. Wasker	15-7	I-FT
House Clerk	Eva D. Wehrman	13-2	I-FT
House Clerk	Barbara B. Wennerstrum	15-5	I-FT
House Clerk	Ann West	13-3	I-FT
House Clerk	Margaret A. White	15-3	I-FT
House Clerk	Mary Kay Whitfield	13-4	I-FT
House Clerk	Mary M. Whitmore	15-2	I-FT
Administrative Assistant II	Nancy J. Robertson	15-1	I-FT
Administrative Assistant II	Dragutin S. Stamenkovich	15-1	I-FT

EXPLANATION OF VOTE

I was necessarily absent from the House chamber Tuesday, January 16, 1979, due to twenty-eight inches of snow in the Quad City area which made it impossible for me to attend the Committee on Commerce meeting at which Study Bill 14 was reported out Do Pass. Had I been present, I would have voted "aye" on Study Bill 14.

BINA of Scott

SPONSOR ADDED (House Concurrent Resolution 2)

Husak of Tama requested to be added as a sponsor of House Concurrent Resolution 2.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 46 Ways and Means

Relating to time limitations for tax matters.

REPORTS OF COMMITTEE MEETINGS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following reports of committee meetings have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:31 a.m.

Adjourned: 11:49 a.m.

Present: Menke, chair; Lind, vice-chair; Davitt, Connolly, Ritsema, Swearingen, Tyrrell and Thompson.

Absent: Cochran (arrived 9:37 a.m.), Patchett (arrived 9:33 a.m.) and Stromer (arrived 9:35 a.m.).

Presentations by Fiscal Bureau, Department of Public Instruction and Board of Regents.

APPROPRIATIONS SUBCOMMITTEE ON
HUMAN RESOURCES

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:25 a.m.

Adjourned: 12:15 p.m.

Present: Bennett, chair; Lura, vice-chair; Husak, ranking member; Branstad, Crawford, Hummel, Krewson, Schnekloth, Lonergan and Spear.

Absent: Norland (arrived 9:45 a.m.) and Rapp (arrived 10:25 a.m.).

Presentations by Fiscal Analyst, Thom Freyer; Department of Health Commissioner, Norman L. Pawlewski; Iowa Commission on Aging Commissioner, Glenn R. Bowles; and Deputy Director of Substance Abuse, Dr. Ron Walters.

APPROPRIATIONS SUBCOMMITTEE ON
NATURAL RESOURCES

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:30 a.m.

Adjourned: 11:50 a.m.

Present: Tofte, chair; Larsen, vice-chair; Hullinger, ranking member; Hall, Hanson of Delaware, Howell, Kirkenslager, Pellett, Perkins, Shimanek and Smalley.

Absent: Woods.

Presentations by Caden Henderson, Larry Vance and Fred Prierwert, Director, all representing the Iowa Conservation Commission.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND FINANCE

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:27 a.m.

Adjourned: 12:20 a.m.

Present: Pelton, chair; Anderson of Audubon, vice-chair; Walters, ranking member; Conloh, Corey, Diemer, Evans, Johnson of Woodbury, Shull, Walters, Gettings and Jay.

Absent: Connors and Chiodo (arrived 9:32 a.m.).

Excused: Doyle.

Heard synopsis of the function of four departments: Job Service, Revenue, Beer and Liquor Control and Comptroller.

APPROPRIATIONS SUBCOMMITTEE ON SOCIAL SERVICES

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:25 a.m.

Adjourned: 12:05 p.m.

Present: Daggett, chair; McKean, vice-chair; Jochum, ranking member; Brandt, Bruner, De Groot, Hansen of O'Brien, Holt, Lloyd-Jones and Van Maanen.

Absent: Clark of Cerro Gordo (arrived 9:35 a.m.) and Halvorson of Webster (arrived 9:35 a.m.).

Summary of departments functions. Overview of budget askings.

APPROPRIATIONS SUBCOMMITTEE ON STATE DEPARTMENTS

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:25 a.m.

Adjourned: 12:00 noon.

Present: Lageschulte, chair; Lorenzen, vice-chair; Danker, Groth, Hibbs, Johnson of Howard, Mullins, Sherzan and Wells.

Absent: Dieleman (arrived 9:30 a.m.), Arnould, Pope (arrived 10:45 a.m.), Welsh (arrived 9:30 a.m.) and Crabb (arrived 10:25 a.m.).

Instructional meeting, Overview of General Services Department and Merit Department.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION

Scheduled: 9:15 a.m., January 17, 1979

Convened: 9:20 a.m.

Adjourned: 12:00 noon.

Present: Hoffmann, chair; Poffenberger, vice-chair; Pavich, ranking member; Bina, Binneboese, Egenes, Hinkhouse, Johnson of Linn, Maulsby, O'Kane and Oxley.

Absent: Clark of Lee, Harbor and Schroeder (arrived 9:30 a.m.).

Explanation of budget worksheets, overviews of Department of Public Safety and Department of Transportation.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 1:00 p.m., January 17, 1979

Convened: 1:00 p.m.

Adjourned: 1:15 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Conlon, Hibbs, Holt, Johnson of Howard, Lonergan, Maulsby, Pelton, Smalley and Walter.

Absent: Patchett, ranking member; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Corey, Doyle, Jesse, Lloyd-Jones, Rapp and Welsh.

Bills were assigned to subcommittees.

COMMITTEE ON TRANSPORTATION

Scheduled: 1:00 p.m., January 17, 1979

Convened: 1:10 p.m.

Adjourned: 1:25 p.m.

Present: Egenes, chair; Kirkenslager, vice-chair; Woods, ranking member; Bennett, Binneboese, Gettings, Hinkhouse, Hoffmann, Lageschulte, Jay, McKean, Menke, Oxley, Pellett, Schneklath and Tofte.

Absent: Daggett, Hullinger, Miller and Schroeder.

Excused: Davitt.

Subcommittees and bill assignments.

COMMITTEE ON ENERGY

Scheduled: 2:30 p.m., January 17, 1979

Convened: 2:34 p.m.

Adjourned: 2:44 p.m.

Present: Evans, chair; Pelton, vice-chair; Howell, ranking member; Danker, De Groot, Doyle, Hullinger, Krewson, Lind, McKean, Mullins, O'Kane, Poffenberger, Ritsema, Sherzan and Van Maanen.

Absent: Binneboese, Bruner (arrived 2:38 p.m.), Pellett (arrived 2:40 p.m.), Perkins (arrived 2:38 p.m.), Rapp (arrived 2:40 p.m.) and Smalley (arrived 2:37 p.m.).

Excused: Cusack.

Assigned bills to subcommittees.

COMMITTEE ON STATE GOVERNMENT

Scheduled: 2:30 p.m., January 17, 1979

Convened: 2:30 p.m.

Adjourned: 3:30 p.m.

Present: Crawford, chair; Hibbs, vice-chair; Brandt, ranking member; Branstad, Dieleman, Halvorson of Webster, Hansen of O'Brien, Hinkhouse, Johnson of Woodbury, Lageschulte, Lura, Shimanek, Swearingen, Walter and Woods.

Absent: Anderson of Audubon (arrived 2:40 p.m.), Arnould, Bina (arrived 2:45 p.m.), Hoffmann (arrived 2:45 p.m.), Lloyd-Jones (arrived 2:40 p.m.) and Stromer (arrived 2:52 p.m.).

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that equality of rights of men and women under the law shall not be denied or restricted by the state or by any of its political subdivisions.

Recommended Do Pass.

Fiscal Note is not required.

Aye: Crawford, Hibbs, Brandt, Bina, Dieleman, Halvorson of Webster, Hinkhouse, Hoffmann, Lageschulte, Lloyd-Jones, Lura, Shimanek, Swearingen and Walter.

Nay: Anderson of Audubon, Branstad, Johnson of Woodbury, Stromer and Woods.

Absent or not voting: Arnould and Hansen of O'Brien.

Discussion of House Joint Resolution 5.

COMMITTEE ON HOUSE ADMINISTRATION

Scheduled: 4:30 p.m., January 17, 1979

Convened: 4:40 p.m.

Adjourned: 6:05 p.m.

Present: Daggett, chair; Thompson, vice-chair; Wells, ranking member; Bennett, Connors, Doyle, Hoffmann, Johnson of Howard, Perkins and Tofte.

Absent: None.

Approved the PIO Director's recommendation for her staff. Set grades and steps of the officers and employees of the House of Representatives, Sixty-eighth General Assembly.

AMENDMENTS FILED

H-3082	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3083	H.R. 5	Avenson of Fayette Anderson of Jasper Davitt of Warren
H-3084	H.R. 5	Patchett of Johnson Walter of Pottawattamie Norland of Worth
H-3085	H.R. 5	Byerly of Polk
H-3086	H.R. 5	Patchett of Johnson Bina of Scott
H-3087	H.R. 5	Stromer of Hancock Hanson of Delaware

H-3088	H.R. 5	Patchett of Johnson Bina of Scott
H-3089	H.R. 5	Patchett of Johnson Norland of Worth Perkins of Greene
H-3091	H.R. 5	Patchett of Johnson Walter of Pottawattamie Perkins of Greene
H-3092	H.R. 5	Patchett of Johnson Perkins of Greene Connors of Polk
H-3094	H.R. 5	Howell of Floyd
H-3095	H.R. 5	Howell of Floyd
H-3096	H.R. 5	Rapp of Black Hawk
H-3099	H.R. 5	Spear of Lee
H-3100	H.R. 5	Byerly of Polk
H-3101	H.R. 5	Jesse of Polk
H-3102	H.R. 5	Chiodo of Polk
H-3103	H.R. 5	Lloyd-Jones of Johnson Spear of Lee Jesse of Polk Davitt of Warren Anderson of Jasper Bruner of Story Howell of Floyd
H-3104	H.R. 5	Byerly of Polk
H-3105	H.R. 5	Byerly of Polk Pavich of Pottawattamie
H-3106	H.R. 5	Byerly of Polk
H-3107	H.R. 5	Perkins of Greene Bina of Scott
H-3108	H.R. 5	Jesse of Polk
H-3112	H.R. 5	Lloyd-Jones of Johnson
H-3113	H.F.81	Bina of Scott
H-3114	H.F.81	Bina of Scott

On motion by Halvorson of Clayton the House adjourned at 8:42 p.m., until 7:30 a.m., Friday, January 19, 1979.

JOURNAL OF THE HOUSE

Twelfth Calendar Day—Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 19, 1979

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

Prayer was offered by the Reverend R. Ward Holder, pastor of Our Savior United Presbyterian Church, Le Claire, Iowa.

The Journal of Thursday, January 18, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dewaine Birkhofer, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott and Cusack of Scott on request of Cochran of Webster.

PETITION FILED

The following petition was received and placed on file:

By Lind of Black Hawk from forty-one constituents of district thirty-three favoring share drafts and other services offered by the credit union.

INTRODUCTION OF BILLS

House File 92, by Halvorson of Clayton, a bill for an act relating to the member of the law enforcement academy council from the college aid commission.

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

House File 93, by Doyle, a bill for an act relating to the time allowed for renewal of a real estate apprentice salesperson's license.

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

House File 94, by Doyle, a bill for an act permitting fees of attorneys appointed by the court to be determined by judicial officers other than part-time magistrates.

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

House File 95, by Clark of Cerro Gordo, a bill for an act to clarify the notice of adoption hearing provision in the Code.

Read first time and referred to committee on **human resources**.

House File 96, by Halvorson of Clayton, a bill for an act relating to powers of pipeline inspectors.

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

House File 97, by Menke, a bill for an act relating to the time period for maintaining proof of motor vehicle financial responsibility.

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

House File 98, by Doyle, a bill for an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax.

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

House File 99, by Davitt, a bill for an act providing for the inclusion of certain valuation information on valuation notices issued by the assessor.

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

House File 100, by Smalley, a bill for an act increasing the homestead tax credit.

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

House File 101, by Krewson, a bill for an act relating to the use of polygraph examinations as a condition of employment.

Read first time and referred to committee on **labor and industrial relations**.

House File 102, by Spear, Lloyd-Jones, Brandt and Jay, a bill for an act relating to the payment of per diem expenses incurred by members of the general assembly when the general assembly is not in session.

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

House File 103, by Krewson, a bill for an act to require the department of social services to make certified psychologists eligible to receive payment for services rendered to recipients of medical assistance.

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

House File 104, by Jochum, a bill for an act to allow employees of the blind commission to bargain collectively under the public employment relations Act.

Read first time and referred to committee on **labor and industrial relations**.

House File 105, by Jochum, a bill for an act relating to the scope of negotiations in public employment collective bargaining.

Read first time and referred to committee on **labor and industrial relations**.

House File 106, by Clark of Cerro Gordo, a bill for an act relating to requirements and condition for the employment of persons under sixteen years of age.

Read first time and referred to committee on **labor and industrial relations**.

House File 107, by Stromer, Schneklath, Cochran, Crabb, Lonergan, Anderson of Jasper, Dieleman, Conlon, Shull, Shimanek, Holt, Bina, Wells, Arnould, Jochum, Perkins, Hansen of O'Brien, Doyle, Krewson, Patchett, Menke, Harbor, Welden, Binneboese, Daggett, Swearingen, Ritsema, Connolly, Pellett and Johnson of Woodbury, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists.

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

House File 108, by committee on commerce, a bill for an act making a corrective amendment to section seven (7) of House File five hundred forty-five (545) enacted during the 1978 Session of the General Assembly, relating to the purchase by the risk management division of insurance for the board of regents.

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

QUORUM CALL

Roll call was requested by Schroeder of Pottawattamie and Pelton of Clinton to determine that a quorum was present.

Present: 67

Anderson, J.	Anderson, R.	Bennett	Bina
Binneboese	Branstad	Chiodo	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Evans
Gettings	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent: 33

Arnould	Avenson	Brandt	Bruner
Byerly	Cochran	Connolly	Connors
Cusack	Doyle	Egenes	Groth
Hall	Halvorson, R.N.	Horn	Jay
Jesse	Krewson	Loneragan	Lorenzen
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Smalley	Walter	Wells	Welsh
Woods			

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

CONSIDERATION OF HOUSE RESOLUTION 5

The House resumed consideration of House Resolution 5, relating to the temporary rules of the House for the sixty-eighth general assembly, found on pages 165 through 185 of the House Journal.

Halvorson of Clayton offered the following amendment H—3061 filed by him and Harbor of Mills and moved its adoption:

H—3061

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 8 by striking line 3 and inserting in
- 3 lieu thereof the following: "service bureau,
- 4 fiscal director's office, and administrative rules
- 5 review committee staff."
- 6 2. Page 8, line 7 by striking the word "who"
- 7 and inserting in lieu thereof the words ", all of
- 8 whom".
- 9 3. Page 8, by inserting following line 8 the
- 10 following new paragraph:
- 11 "No other persons shall be allowed on the house
- 12 floor without permission of the presiding officer of
- 13 the house."

Amendment H—3061 was adopted.

Chiodo of Polk offered the following amendment H—3102 filed by him and moved its adoption:

H—3102

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 8, lines 4 and 5, by striking the
- 3 words "and administrative assistants".

Roll call was requested by Rapp of Black Hawk and Lloyd-Jones of Johnson.

On the question "Shall amendment H—3102 be adopted?"

The ayes were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Chiodo	Cochran
Connolly	Connors	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jochum
Lloyd-Jones	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 55:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Helt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 7:

Arnould	Cusack	Jesse	Krewson
Lonergan	Miller	Welden	

Amendment H—3102 lost.

Perkins of Greene offered the following amendment H—3107 filed by him and Bina of Scott and moved its adoption:

H—3107

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 8, by inserting after line 8 the
- 3 following:
- 4 "9. Former pages of the house."

Amendment H—3107 lost.

Halvorson of Clayton offered the following amendment H—3064 filed by him and Harbor of Mills:

H—3064

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 10, line 25, by inserting after the word
- 3 "RESOLUTIONS" the words "—REVIEW BY LEGISLATIVE
- 4 SERVICE BUREAU".
- 5 2. Page 11, by inserting after line 2 the
- 6 following:
- 7 "A bill or joint resolution which has not been
- 8 prepared by the legislative service bureau shall not
- 9 be reported out of committee unless first reviewed
- 10 by a legislative service bureau staff person. After
- 11 the review the staff person shall prepare a report
- 12 for the chairperson and committee members relating
- 13 to the form and style of the bill under consideration
- 14 and whether the bill appears to carry out its expressed
- 15 purpose."

Lloyd-Jones of Johnson offered the following amendment H—3112, to amendment H—3064, filed by her:

H—3112

- 1 Amend amendment H—3064 to House Resolution 5
- 2 as follows:
- 3 1. Page 1, by striking lines 7 and 8 and
- 4 inserting in lieu thereof the following:
- 5 "A bill or joint resolution shall not".

Patchett of Johnson asked for unanimous consent to temporarily defer action on amendment H—3112.

Objection was raised.

Patchett of Johnson moved to temporarily defer action on amendment H—3112, to amendment H—3064.

The motion lost.

Lloyd-Jones of Johnson moved the adoption of amendment H—3112.

Roll call was requested by Schroeder of Pottawattamie and Crabb of Crawford.

On the question "Shall amendment H—3112, to amendment H—3064, be adopted?"

The ayes were, 39:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Walter
Wells	Welsh	Woods	

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkepslager	Krewson	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 6:

Arnould	Chiodo	Crawford	Cusack
Larsen	Miller		

Amendment H—3112 lost.

Perkins of Greene moved that House Resolution 5 be rereferred to the committee on rules.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

On the question "Shall the motion to rerefer prevail?"

The ayes were, 39:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Walter
Wells	Welsh	Woods	

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzo	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Arnould	Connors	Crawford	Cusack
Miller			

The motion lost.

Halvorson of Clayton moved the adoption of amendment H—3064.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

On the question "Shall amendment H—3064 be adopted?"

The ayes were, 57:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lind	Lorenzo	Lura
Maulsby	McKean	Menke	Mullins
Norland	Pellet	Pelton	Perkins
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	West
Mr. Speaker			

The nays were, 35:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Chiodo	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Wells	Welsh	Woods	

Absent or not voting, 8:

Arnould	Connors	Crawford	Cusack
Lageschulte	Miller	Ritsema	Stromer

Amendment H-3064 was adopted.

(House Resolution 5 pending at recess.)

On motion by Halvorson of Clayton the House was recessed until 1:45 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

HOUSE CONCURRENT RESOLUTION 4

By Smalley

1 *Whereas*, the members of the subcommittees of the
2 committee on appropriations have noticed that some of
3 the departments of the state government have submitted
4 reports which are printed with glossy, multi-colored
5 paper and bound with expensive covers; and
6 *Whereas*, the purpose for which these reports are
7 submitted does not justify the use of printing and
8 binding at this level of quality; and
9 *Whereas*, this practice imposes an unnecessary
10 expense upon the taxpayers of the state; *Now Therefore*,
11 *Be It Resolved By the House of Representatives*,
12 *The Senate Concurring*, That the membership of the Iowa
13 general assembly urges the department of general
14 services and the superintendent of printing to examine
15 their rules on the printing of intragovernmental
16 reports and to adopt rules which will reduce the
17 quality of printing and binding of intragovernmental
18 reports to that which is necessary to accomplish the
19 purpose for which the report is printed; and
20 *Be It Further Resolved*, That the chief clerk of
21 the house transmit a copy of this resolution to the
22 director of the department of general services.

Laid over under Rule 25.

APPOINTMENTS TO LEGISLATIVE COUNCIL

Speaker Millen announced the following appointments to the Legislative Council:

Robert T. Anderson, Newton, Iowa
John H. Clark, Keokuk, Iowa
William H. Harbor, Henderson, Iowa
Norman G. Jesse, Des Moines, Iowa
Delwyn Stromer, Garner, Iowa

CONSIDERATION OF HOUSE RESOLUTION 5

The House resumed consideration of House Resolution 5 relating to the temporary rules of the House for the sixty-eighth general assembly.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Halvorson of Clayton moved to suspend Rule 77, Subparagraphs 1, 2 and 3, of the temporary rules of the House.

The House stood at ease until the fall of the gavel.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Oxley of Linn for the remainder of the day on request of Husak of Tama; Woods of Polk for the remainder of the day on request of Byerly of Polk.

On the motion to suspend Rule 77, roll call was requested by Rapp of Black Hawk and Avenson of Fayette.

On the question "Shall the rules be suspended?"

The ayes were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Mr. Speaker	

The nays were, 37:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

Absent or not voting, 8:

Arnould
Oxley

Connors
Wells

Cusack
West

Miller
Woods

The motion prevailed and the rules were suspended.

Rapp of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H—3076.

Lloyd-Jones of Johnson offered the following amendment H—3103 filed by Lloyd-Jones, et al. Division was requested as follows:

H—3103

1 Amend House Resolution 5 as follows:

H—3103A

2 1. Page 11, by striking lines 8 through 11 and
3 inserting in lieu thereof the following:
4 "A bill or joint resolution under individual
5 sponsorship introduced after 4:00 p.m. or adjournment,
6 whichever is earlier, on Friday of the seventh week
7 of the first regular session of the general assembly
8 shall not be reported out by a committee or be
9 considered for passage by the membership of the house
10 during that session. No".

H—3103B

11 2. Page 11, line 32, by inserting after the word
12 "form" the words "by the legislative service bureau".
13 3. Page 12, line 4, by inserting after the word
14 "form" the words "by the legislative service bureau".

Lloyd-Jones of Johnson moved the adoption of amendment H—3103A.

Roll call was requested by Schroeder of Pottawattamie and Polk of Polk.

Rules 69 and 70 were invoked.

On the question "Shall amendment H—3103A be adopted?"

The ayes were, 37:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Davitt	Dieleman
Doyle	Hinkings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 7:

Arnould	Connors	Cusack	Miller
Oxley	Wells	Woods	

Amendment H—3103A lost.

Lloyd-Jones of Johnson moved the adoption of amendment H—3103B.

Roll call was requested by Rapp of Black Hawk and Avenson of Fayette.

On the question "Shall amendment H—3103B be adopted?"

The ayes were, 36:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle

Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Norland	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welsh

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 9:

Arnould	Chiodo	Connors	Cusack
Krewson	Miller	Oxley	Wells
Woods			

Amendment H—3103B lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chiodo of Polk for the remainder of the day on request of Anderson of Jasper.

Halvorson of Clayton called up for consideration the motion to reconsider amendment H—3064 filed by him from the floor and moved to reconsider the vote by which amendment H—3064 was adopted by the House on January 19, 1979.

A non-record roll call was requested.

The ayes were 34, nays 56.

The motion lost placing out of order the motion to reconsider amendment H—3064 filed by Norland of Worth from the floor and the motion to reconsider amendment H—3112 (to amendment H—3064) filed by Spear of Lee from the floor.

Halvorson of Clayton moved the previous question on House Resolution 5.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Patchett of Johnson rose on a point of order referring to Article 3, Section 10 of the Iowa Constitution, relating to the right to dissent.

Inasmuch as the point of order required a constitutional ruling, the Speaker ruled the point not well taken.

On the motion for the previous question, roll call was requested by Rapp of Black Hawk and Anderson of Jasper.

Rule 70 was invoked.

On the question "Shall the motion for the previous question prevail?"

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 34:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Norland	O'Kane	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Welsh		

Absent or not voting, 10:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Miller	Oxley
Wells	Woods		

The motion prevailed.

Byerly of Polk rose on a point of order referring to Section 351 of Mason's Manual of Legislative Procedure.

The Speaker ruled the point not well taken.

Byerly of Polk rose on a point of order and appealed the ruling of the chair.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

On the question "Shall the ruling of the chair be sustained?"

The ayes were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte

Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 32:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Walter	Welsh

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

The ruling of the chair was sustained.

Patchett of Johnson offered the following amendment H—3089 filed by Patchett, et al., and moved its adoption:

H—3089

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, line 9, by striking the words "read
- 3 for the first time after" and inserting in lieu thereof
- 4 the words "considered for passage during the first
- 5 session by the house unless filed before".
- 6 2. Page 11, line 10, by striking the word "earlier"
- 7 and inserting in lieu thereof the word "later".
- 8 3. Page 11, line 18, by striking the words "read
- 9 for the first time after" and inserting in lieu thereof
- 10 the words "considered for passage during the second
- 11 session by the house unless filed before".
- 12 4. Page 11, line 19, by striking the word "earlier"
- 13 and inserting in lieu thereof the word "later".
- 14 5. Page 11, line 27, by inserting after the period
- 15 the words "This rule shall not be construed as
- 16 prohibiting an individual member from submitting a
- 17 study bill or a proposed committee bill prepared by
- 18 the legislative service bureau to the chairperson
- 19 of a standing committee if a request was timely filed
- 20 for such bill as provided in this rule."

A non-record roll call was requested.

The ayes were 33, nays 56.

Amendment H—3089 lost.

Jesse of Polk offered the following amendment H—3101 filed by him and moved its adoption:

H—3101

1 Amend House Resolution 5 as follows:
 2 1. Page 11, by striking lines 8 through 28
 3 and inserting in lieu thereof the following:
 4 "The final day for the introduction of
 5 individually sponsored bills shall be the sixty-
 6 first calendar day of the first regular session of
 7 a general assembly unless a written request for
 8 drafting the bill has been filed with the legisla-
 9 tive service bureau before that time. After
 10 adjournment of the first regular session, bills may
 11 be prefiled at any time before the convening of
 12 the second regular session. No bill shall be filed
 13 after the fifteenth calendar day of the second
 14 regular session of a general assembly unless a
 15 written request for drafting the bill has been
 16 filed with the legislative service bureau before
 17 that time."

Roll call was requested by Jesse of Polk and Jochum of Dubuque.

On the question "Shall amendment H—3101 be adopted?"

The ayes were, 32:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welsh

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.

Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 14:

Arnould	Chiodo	Clark, J.H.	Connors
Cusack	Hinkhouse	Horn	Hullinger
Miller	Norland	Oxley	Poffenberger
Wells	Woods		

Amendment H—3101 lost.

Patchett of Johnson offered the following amendment H—3092 filed by Patchett, et al., and moved its adoption:

H—3092

1 Amend House Resolution 5 as follows:

2 1. Page 11, by striking lines 8 through 35, and
3 inserting in lieu thereof the following:

4 "The final day for the introduction of individually
5 sponsored bills shall be Friday of the seventh week
6 of the first regular session of a General Assembly
7 unless a written request for drafting the bill has
8 been filed with the Legislative Service Bureau before
9 that time. After adjournment of the first regular
10 session, bills may be prefiled at any time before
11 the convening of the second regular session. No bill
12 shall be filed after Friday of the second week of
13 the second regular session of a General Assembly,
14 unless a written request for drafting the bill has
15 been filed with the Legislative Service Bureau before
16 that time.

17 Bills or joint resolutions co-sponsored by the
18 majority and minority floor leaders, standing
19 committees or sifting committee may be drafted and
20 introduced at any time unless otherwise limited by
21 the joint rules. House and concurrent resolutions
22 may be introduced at any time."

Roll call was requested by Pope of Polk and Schroeder of Pottawattamie.

On the question "Shall amendment H—3092 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 12:

Arnould	Chiodo	Clark, J.H.	Connors
Cusack	Hinkhouse	Horn	Hullinger
Miller	Oxley	Wells	Woods

Amendment H—3092 lost.

Rapp of Black Hawk offered the following amendment H—3076 filed by him and moved its adoption:

H—3076

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, by striking lines 8 through 16.
- 3 2. Page 11, line 17, by striking the words
- 4 "regular session." and inserting in lieu thereof
- 5 the following:
- 6 "The final day for the introduction of

7 individually sponsored bills shall be the sixty-
8 first calendar day of the first regular session of
9 a general assembly unless a written request for
10 drafting the bill has been filed with the legisla-
11 tive service bureau before that time. After
12 adjournment of the first regular session, bills may
13 be prefiled at any time before the convening of the
14 second regular session."

A non-record roll call was requested.

The ayes were 33, nays 56.

Amendment H—3076 lost.

Patchett of Johnson offered the following amendment H—3086 filed by him and Bina of Scott and requested division as follows:

H—3086

1 Amend House Resolution 5 as follows:

H—3086A

2 1. Page 11, line 11, by inserting after the word
3 "assembly" the words "except bills or joint resolutions
4 under individual sponsorship which have been filed
5 in the office of the house legal counsel before the
6 specified time limits may be read after the time
7 limits".

H—3086B

8 2. Page 11, line 20, by inserting after the word
9 "assembly" the words "except bills or joint resolutions
10 under individual sponsorship which have been filed
11 in the office of the house legal counsel before the
12 specified time limits may be read after the time
13 limits".

Patchett of Johnson moved the adoption of amendment H—3086A.

A non-record roll call was requested.

The ayes were 33, nays 55.

Amendment H—3086A lost.

Patchett of Johnson moved the adoption of amendment H-3086B.

A non-record roll call was requested.

The ayes were 31, nays 50.

Amendment H-3086B lost.

Stromer of Hancock offered the following amendment H-3087 filed by him and Hanson of Delaware and moved its adoption:

H-3087

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, line 11, by inserting after the
- 3 word "assembly." the following:
- 4 "However, any bill drafted by the Legislative
- 5 Service Bureau that is not read upon adjournment
- 6 on Friday of the 7th week of the first session,
- 7 but is in possession of the House Legal Counsel,
- 8 will be given a House bill number and will be
- 9 assigned to the sifting committee upon the
- 10 establishment of the sifting committee."

Patchett of Johnson rose on a point of order that amendment H-3087 was not in order.

The Speaker ruled the point not well taken and amendment H-3087 in order.

Stromer of Hancock moved the adoption of amendment H-3087.

A non-record roll call was requested.

The ayes were 62, nays 18.

Amendment H-3087 was adopted.

Patchett of Johnson offered the following amendment H-3084 filed by Patchett, et al., and moved its adoption:

H—3084

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, line 13, by inserting after the word
- 3 "bureau" the words "for introduction during the first
- 4 session".
- 5 2. Page 11, line 22, by inserting after the word
- 6 "bureau" the words "for introduction during the second
- 7 session".
- 8 3. Page 11, line 27, by inserting after the period
- 9 the words "This rule shall not be construed as
- 10 prohibiting an individual member from submitting a
- 11 study bill or a proposed committee bill prepared by
- 12 the legislative service bureau to the chairperson
- 13 of a standing committee if a request was timely filed
- 14 for such bill as provided in this rule."

A non-record roll call was requested.

The ayes were 30, nays 55.

Amendment H—3084 lost.

Byerly of Polk asked and received unanimous consent to suspend the rules and withdraw amendment H—3085 (to page 11), filed by him on January 18, 1979.

Lloyd-Jones of Johnson offered the following amendment H—3080 filed by Lloyd-Jones, et al., and moved its adoption:

H—3080

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, line 32, by inserting after the
- 3 word "form" the words "by the legislative service
- 4 bureau".
- 5 2. Page 12, line 4, by inserting after the
- 6 word "form" the words "by the legislative service
- 7 bureau".

A non-record roll call was requested.

The ayes were 32, nays 53.

Amendment H—3080 lost.

Patchett of Johnson offered the following amendment H—3091 filed by Patchett, et al., and moved its adoption:

H—3091

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 11, line 32, by inserting after the word
- 3 "form" the words "in the manner provided in the 1979
- 4 Iowa Bill Drafting Guide".
- 5 2. Page 12, line 4, by inserting after the word
- 6 "form" the words "in the manner provided in the 1979
- 7 Iowa Bill Drafting Guide".

A non-record roll call was requested.

The ayes were 30, nays 53.

Amendment H—3091 lost.

Byerly of Polk asked and received unanimous consent to suspend the rules and withdraw amendment H—3106 (to page 13), filed by him on January 18, 1979.

Lonergan of Boone offered the following amendment H—3078 filed by her and moved its adoption:

H—3078

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 7, by inserting after the
- 3 word "bill" the following:
- 4 "for resolution and such authorization shall not
- 5 be given on a committee bill or resolution until
- 6 the members have received final copies of the bill
- 7 or resolution with amendments incorporated and
- 8 typed into proper form".

Roll call was requested by Anderson of Jasper and Lonergan of Boone.

On the question "Shall amendment H—3078 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.

Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chioldo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3078 lost.

Walter of Pottawattamie offered the following amendment H—3062 filed by him and moved its adoption:

H—3062

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, by inserting after line 7 the
- 3 following:
- 4 "All individually-sponsored bills originating
- 5 in the house which are reported out by a committee
- 6 shall become committee bills."

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

On the question "Shall amendment H—3062 be adopted?"

The ayes were, 29:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Cochran	Connolly
Davitt	Dieleman	Doyle	Groth
Hall	Halvorson, R.N.	Howell	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Patchett	Pavich
Perkins	Rapp	Sherzan	Walter
Welsh			

The nays were, 58:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 13:

Arnould	Chiodo	Connors	Cusack
Evans	Gettings	Hinkhouse	Horn
Hullinger	Miller	Oxley	Wells
Woods			

Amendment H—3062 lost.

Avenson of Fayette offered the following amendment H—3073 filed by Avenson, et al., and moved its adoption:

H—3073

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, by striking lines 8 through 11 and
- 3 inserting in lieu thereof the following:
- 4 "36.8 No amendment or".

Roll call was requested by Rapp of Black Hawk and Avenson of Fayette.

On the question "Shall amendment H—3073 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran,
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 12:

Arnould	Chiodo	Clark, J.H.	Connors
Cusack	Hinkhouse	Horn	Hullinger
Miller	Oxley	Wells	Woods

Amendment H—3073 lost.

Halvorson of Clayton offered the following amendment H—3063 filed by him and Harbor of Mills:

H—3063

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 9 by inserting after the word
- 3 "bill" the words ", except technical amendments,".
- 4 2. Page 13 by striking line 11 and inserting
- 5 in lieu thereof the following:
- 6 "with the chief clerk on the day preceding floor

7 debate on the amendment. This provision shall not
 8 apply to any proposal debated on the floor of the
 9 house after the fifteenth week of the first session
 10 and the thirteenth week of the second session. No
 11 amendment or”.

Howell of Floyd offered the following amendment H—3094, to amendment H—3063, filed by him and moved its adoption:

H—3094

1 Amend amendment H—3063 to House Resolution 5
 2 as follows:
 3 1. Page 1, by striking lines 2 through 11 and
 4 inserting in lieu thereof the following:
 5 “1. Page 13, line 11, by inserting after the
 6 period the words “However, a member who was excused
 7 from attendance by the speaker of the house for an
 8 entire day may file an amendment to any bill on
 9 the following session day.” ”

Roll call was requested by Howell of Floyd and Bruner of Story.

On the question “Shall amendment H—3094, to amendment H—3063, be adopted?”

The ayes were, 32:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	O’Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welsh

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek

Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 14:

Arnould	Chiodo	Clark, J.H.	Connors
Cusack	Hinkhouse	Horn	Hullinger
Miller	Norland	Oxley	Smalley
Wells	Woods		

Amendment H—3094 lost.

Howell of Floyd offered the following amendment H—3095, to amendment H—3063, filed by him and moved its adoption:

H—3095

- 1 Amend amendment H—3063 to House Resolution 5
- 2 as follows:
- 3 1. Page 1, by striking lines 2 through 11 and
- 4 inserting in lieu thereof the following:
- 5 "1. Page 13, line 11, by inserting after the
- 6 word "day" the words ", except this restriction
- 7 shall not apply to amendments filed to bills which
- 8 are debated on Monday."

Roll call was requested by Howell of Floyd and Perkins of Greene.

On the question "Shall amendment H—3095, to amendment H—3063, be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot

Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3095 lost.

Avenson of Fayette offered the following amendment H—3082, to amendment H—3063, filed by Avenson, et al., and moved its adoption:

H—3082

- 1 Amend amendment H—3063 to House Resolution 5
- 2 as follows:
- 3 1. Page 1, by striking lines 4 through 11 and
- 4 inserting in lieu thereof the following:
- 5 "2. Page 13, line 11, by inserting after the
- 6 word "day" the words "if the amendment amends a
- 7 bill which appeared on a daily debate calendar at
- 8 least two session days in advance".
- 9 3. Page 14, by striking lines 10 through 13 and
- 10 inserting in lieu thereof the following:
- 11 "for each session day when floor action is
- 12 scheduled a daily calendar consisting of bills from
- 13 the weekly calendar and setting forth the number,
- 14 title, and order of consideration of bills for
- 15 that day. The daily calendar shall be distributed
- 16 to the members by noon two session days prior to
- 17 the date set for debate." "

Roll call was requested by Avenson of Fayette and Perkins of Greene.

On the question "Shall amendment H—3082, to amendment H—3063, be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonerган	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Tofte	Walter
Welsh			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 13:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Norland	Oxley	Schroeder	Wells
Woods			

Amendment H—3082 lost.

Avenson of Fayette offered the following amendment H—3083, to amendment H—3063, filed by Avenson, et al., and moved its adoption:

H—3083

- 1 Amend amendment H—3063 to House Resolution 5
- 2 as follows:
- 3 1. Page 1, by striking lines 4 through 11 and
- 4 inserting in lieu thereof the following:
- 5 "2. Page 13, line 11, by inserting after the
- 6 period the following:

7 "However, this provision shall not apply to
8 amendments to ways and means, appropriations and
9 sifting committee bills, and bills considered by
10 a suspension of the rules." "

Roll call was requested by Avenson of Fayette and Rapp of Black Hawk.

On the question "Shall amendment H-3083, to amendment H-3063, be adopted?"

The ayes were, 32:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welsh

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 12:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Norland	Oxley	Wells	Woods

Amendment H-3083 lost.

Halvorson of Clayton moved the adoption of amendment H-3063.

A non-record roll call was requested.

The ayes were 65, nays 20.

Amendment H—3063 was adopted.

Avenson of Fayette offered the following amendment H—3068 filed by Avenson, et al., and moved its adoption:

H—3068

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 11, by inserting after the
- 3 word "day" the words "if the amendment amends a
- 4 bill which appeared on a daily debate calendar at
- 5 least two session days in advance".
- 6 2. Page 14, by striking lines 10 through 13 and
- 7 inserting in lieu thereof the following:
- 8 "for each session day when floor action is
- 9 scheduled a daily calendar consisting of bills
- 10 from the weekly calendar and setting forth the
- 11 number, title, and order of consideration of bills
- 12 for that day. The daily calendar shall be
- 13 distributed to the members by noon two session days
- 14 prior to the date set for debate."

Amendment H—3068 lost.

Patchett of Johnson offered the following amendment H—3088 filed by him and Bina of Scott and moved its adoption:

H—3088

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 11, by inserting after the word
- 3 "day" the words ", however amendments may be filed
- 4 to bills or resolutions sponsored by the committee
- 5 on ways and means or the committee on appropriations,
- 6 or bills or resolutions approved for debate by the
- 7 committee on sifting, on the day such bills are
- 8 considered".
- 9 2. Page 13, line 11, by inserting before the word
- 10 "No" the words "If the rules are suspended in order
- 11 to consider a bill, a resolution, or an amendment
- 12 to the rules, amendments may be filed to that bill,
- 13 resolution, or amendment to the rules on the day they
- 14 are considered."

Roll call was requested by Patchett of Johnson and Bina of Scott.

On the question "Shall amendment H—3088 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Cannolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3088 lost.

Rapp of Black Hawk offered the following amendment H—3096 filed by him and moved its adoption:

H—3096

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 11, by inserting after the

3 word "day" the words ", except that an amendment
 4 may be filed on the day of the consideration of a
 5 rule, resolution, or bill if the rule, resolution,
 6 or bill has not been included on a calendar of the
 7 house distributed before 9:00 a.m. of the preceding
 8 day".

Roll call was requested by Rapp of Black Hawk and Perkins of Greene.

On the question "Shall amendment H—3096 be adopted?"

The ayes were, 32:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Hall	Halvorson, R.N.	Howell
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welsh

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 13:

Arnould	Chioldo	Connors	Cusack
Groth	Hinkhouse	Horn	Hullinger
Krewson	Miller	Oxley	Wells
Woods			

Amendment H—3096 lost.

Avenson of Fayette offered the following amendment H—3077 filed by Avenson, et al., and moved its adoption:

H—3077

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 13, line 11, by inserting after the
- 3 period the following:
- 4 "However, this rule shall not apply to amendments
- 5 to ways and means, appropriations and sifting
- 6 committee bills, and bills considered by a
- 7 suspension of the rules."

Amendment H—3077 lost.

Avenson of Fayette offered the following amendment H—3081 filed by Avenson, et al., and moved its adoption:

H—3081

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 14, line 3, by inserting after the word
- 3 "calendar" the words "of house calendar bills and
- 4 resolutions".
- 5 2. Page 14, line 11, by inserting after the word
- 6 "calendar" the words "consisting of bills from the
- 7 weekly calendar".

Roll call was requested by Avenson of Fayette and Rapp of Black Hawk.

On the question "Shall amendment H—3081 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb

Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Thompson	Tofte	Tyrrell	Van Maanen
West	Mr. Speaker		

Absent or not voting, 13:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Swearingen	Welden	Wells
Woods			

Amendment H—3081 lost.

Bina of Scott offered the following amendment H—3071 filed by him and moved its adoption:

H—3071

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 14, line 6, by striking the words
- 3 "except appropriations and ways and means bills".

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

On the question "Shall amendment H—3071 be adopted?"

The ayes were, 31:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	O'Kane
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Welsh	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 15:

Arnould	Chiodo	Clark, J.H.	Connors
Cusack	Hinkhouse	Horn	Hullinger
Lura	Miller	Norland	Oxley
Patchett	Wells	Woods	

Amendment H—3071 lost.

Connolly of Dubuque offered the following amendment H—3079 filed by him and moved its adoption:

H—3079

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 14, line 10, by striking the words
- 3 "at the opening" and inserting in lieu thereof
- 4 the words "by 9:00 a.m."

Amendment H—3079 lost.

Menke of O'Brien offered the following amendment H—3059 filed by him and moved its adoption:

H—3059

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 16, by striking lines 28 and 29 and
- 3 inserting in lieu thereof the following: ". No-
- 4 legalizing act".

Amendment H—3059 was adopted.

Pavich of Pottawattamie offered the following amendment H-3127 filed by him from the floor and moved its adoption:

H-3127

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 17, by inserting after line 22 the
- 3 following:
- 4 "RULE 51
- 5 STANDING COMMITTEES
- 6 The names of the standing committees of the
- 7 house shall be:
- 8 Administration
- 9 Agriculture
- 10 Appropriations
- 11 Cities
- 12 Commerce
- 13 County Government
- 14 Education
- 15 Energy
- 16 Ethics
- 17 Human Resources
- 18 Judiciary and Law Enforcement
- 19 Labor and Industrial Relations
- 20 Natural Resources
- 21 Rules
- 22 State Government
- 23 Transportation
- 24 Ways and Means".
- 25 2. By renumbering as necessary.

Amendment H-3127 lost.

Byerly of Polk offered the following amendment H-3105 filed by him and Pavich of Pottawattamie and moved its adoption:

H-3105

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 17, line 24, by inserting after the
- 3 word "COMMITTEES" the words "AND COMMITTEE CHAIR-
- 4 PERSONS".
- 5 2. Page 17, by inserting after line 26 the
- 6 following:
- 7 "All committee chairpersons shall be appointed
- 8 by the speaker subject to the approval of a
- 9 majority of the members of the majority caucus. A
- 10 committee chairperson shall be entitled to continue
- 11 as chairperson in the succeeding general assembly

- 12 unless removed by a majority of the members of the
 13 majority caucus.
 14 The speaker of the house shall assign members
 15 to interim committees and shall authorize trips
 16 for members to legislative meetings and confer-
 17 ences from a list of recommendations provided by
 18 the committee chairperson of the appropriate
 19 committee."

Roll call was requested by Byerly of Polk and Bina of Scott.

On the question "Shall amendment H—3105 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3105 lost.

Jochum of Dubuque offered the following amendment H-3126 filed by him from the floor and moved its adoption:

H-3126

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 18, line 3, by inserting after the word
- 3 "bill." the following:
- 4 "Each study bill shall bear the name of the
- 5 member who sponsors it."

Roll call was requested by Jochum of Dubuque and Binneboese of Plymouth.

On the question "Shall amendment H-3126 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3126 lost.

Walter of Pottawattamie offered the following amendment H—3065 filed by him and Pelton of Clinton and moved its adoption:

H—3065

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 18, line 15, by striking the words "IN
- 3 COMMITTEES".
- 4 2. Page 18, line 17, by inserting after the word
- 5 "meeting" the words "or in the chamber of the house
- 6 except in the perimeter area while the house is in
- 7 session".

Roll call was requested by Rapp of Black Hawk and Hall of Linn.

Rules 69 and 70 were invoked.

On the question "Shall amendment H—3065 be adopted?"

The ayes were, 51:

Anderson, J.	Anderson, R.	Bina	Binneboese
Brandt	Bruner	Cochran	Conlon
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Holt	Howell	Jay	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
McKean	Menke	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Rapp	Schneklath	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Van Maanen	Walter	Mr. Speaker	

The nays were, 39:

Avenson	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Connolly	Diemer
Doyle	Egenes	Evans	Harbor
Hoffmann	Hullinger	Hummel	Husak
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Lind	Lonergan	Lorenzen
Lura	Maulsby	Mullins	Norland
O'Kane	Pope	Ritsema	Schroeder
Swearingen	Thompson	Tofte	Tyrrell
Welden	Welsh	West	

Absent or not voting, 10:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Miller	Oxley
Wells	Woods		

Amendment H—3065 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3060 filed by him and Smalley of Polk and moved its adoption:

H—3060

1 Amend House Resolution 5 as follows:
 2 1. Page 19, line 3, by striking the word "shall"
 3 and inserting in lieu thereof the word "may".
 4 2. Page 19, by inserting after line 11 the fol-
 5 lowing:
 6 "Upon final adjournment of the first session and
 7 final adjournment of the second session of the Gener-
 8 al Assembly, the chairperson of each committee shall
 9 have placed the committee's book of record containing
 10 minutes, roll calls, rules, etc., with the chief
 11 clerk for access of any interested person."

Amendment H—3060 was adopted.

Pavich of Pottawattamie offered the following amendment H—3128 filed by him from the floor and moved its adoption:

H—3128

1 Amend House Resolution 5 as follows:
 2 1. Page 19, line 11, by inserting after the word
 3 "committee" the word "members".

Amendment H—3128 lost.

Spear of Lee offered the following amendment H—3099 filed by him and moved its adoption:

H—3099

1 Amend House Resolution 5 as follows:
 2 1. Page 20, line 2, by striking the word "may"
 3 and inserting in lieu thereof the word "shall".

Amendment H—3099 lost.

Bina of Scott asked and received unanimous consent to suspend the rules and withdraw amendment H—3072 (to pages 20 and 21), filed by him on January 17, 1979.

Avenson of Fayette offered the following amendment H—3074 filed by Avenson, et al., and moved its adoption:

H—3074

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 21, line 4, by inserting after the word
- 3 "request" the words ", at any time during the
- 4 legislative session,".

Roll call was requested by Avenson of Fayette and Davitt of Warren.

On the question "Shall amendment H—3074 be adopted?"

The ayes were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Hullinger	Miller
Oxley	Wells	Woods	

Amendment H—3074 lost.

Jesse of Polk offered the following amendment H—3108 filed by him and moved its adoption:

H—3108

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 23, by inserting after line 28 the
- 3 following:
- 4 "9. A motion to strike by an individual."
- 5 2. By renumbering as necessary.

Amendment H—3108 lost.

Horn of Linn offered the following amendment H—3067 filed by him and moved its adoption:

H—3067

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 25, by striking lines 16 through 23
- 3 and inserting in lieu thereof the following:
- 4 "Upon the request of two members during the
- 5 taking of any vote of the house on any question
- 6 only those members at their desks and voting shall
- 7 be counted, except as follows:
- 8 1. An original vote on any question may be
- 9 recorded any time within ten minutes after the
- 10 vote has been announced, providing the vote does
- 11 not change the outcome of the vote on that question.
- 12 The presiding officer shall announce the names of
- 13 persons so recorded after the ten minute period.
- 14 2. Members meeting in a conference committee
- 15 at the time a vote is taken on a question may
- 16 have their vote recorded any time prior to
- 17 4:30 p.m. or adjournment, whichever is later, of
- 18 that same legislative day, providing the vote does
- 19 not change the outcome of the vote on that bill."

Amendment H—3067 lost.

Byerly of Polk offered the following amendment H—3104 filed by him and moved its adoption:

H—3104

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 27, line 8, by inserting after the
- 3 word "shall" the word "not".
- 4 2. Page 27, by inserting after line 11, the
- 5 following:
- 6 "The votes and vote totals shall be displayed
- 7 on the board at the time the presiding officer
- 8 announces the result of the vote."

Roll call was requested by Byerly of Polk and Pavich of Pottawattamie.

On the question "Shall amendment H—3104 be adopted?"

The ayes were, 30:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Howell
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Patchett	Pavich	Perkins	Rapp
Sherzan	Walter		

The nays were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 13:

Arnould	Chiodo	Connolly	Connors
Cusack	Hinkhouse	Horn	Hullinger
Miller	Oxley	Wells	Welsh
Woods			

Amendment H—3104 lost.

Byerly of Polk offered the following amendment H—3100 filed by him and moved its adoption:

H—3100

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 27, by inserting after line 11 the
- 3 following:
- 4 "The announcement of the vote by the presiding
- 5 officer shall be made no later than three minutes
- 6 after the call for the vote. Upon request of any
- 7 two members, the voting machine shall be open
- 8 for three minutes."

Roll call was requested by Byerly of Polk and Pavich of Pottawattamie.

On the question "Shall amendment H—3100 be adopted?"

The ayes were, 30:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Howell
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Welsh		

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen

Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 15:

Arnould	Chiodo	Connors	Cusack
Halvorson, R.N.	Hinkhouse	Horn	Hullinger
Miller	Norland	O'Kane	Oxley
Schroeder	Wells	Woods	

Amendment H—3100 lost.

Avenson of Fayette offered the following amendment H—3116 filed by Chiodo of Polk from the floor and moved its adoption:

H—3116

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 3, line 4, by striking the words "a
- 3 constitutional majority" and inserting in lieu
- 4 thereof the words "sixty members".
- 5 2. Page 3, line 6, by striking the words "a
- 6 constitutional majority" and inserting in lieu
- 7 thereof the words "sixty members".

Amendment H—3116 lost.

Jochum of Dubuque offered the following amendment H—3115 filed by him from the floor and moved its adoption:

H—3115

- 1 Amend House Resolution 5 as follows:
- 2 1. Page 4, line 19, by striking the word "ten"
- 3 and inserting in lieu thereof the word "fifteen".

Amendment H—3115 lost.

Jochum of Dubuque moved to reconsider the vote by which amendment H—3093 (found on page 210 of the House Journal) failed to be adopted by the House on January 18, 1979.

A non-record roll call was requested.

The ayes were 28, nays 54.

The motion lost.

Rapp of Black Hawk moved to reconsider the vote by which amendment H—3090 failed to be adopted by the House on January 18, 1979.

A non-record roll call was requested.

The ayes were 28, nays 53.

The motion lost.

Harbor of Mills moved the adoption of House Resolution 5.

Roll call was requested by Rapp of Black Hawk and Menke of O'Brien.

On the question "Shall the resolution be adopted?" (HR—5)

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 34:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Patchett	Pavich

Perkins	Rapp	Sherzan	Spear
Walter	Welsh		

Absent or not voting, 10:

Arnould	Chiodo	Connors	Cusack
Hinkhouse	Horn	Miller	Oxley
Wells	Woods		

The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER TABLED
(House Resolution 5)

Harbor of Mills moved to reconsider the vote by which House Resolution 5 was adopted by the House and that the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 61, nays 27.

The motion prevailed.

Halvorson of Clayton moved that the House adjourn until 10:00 a.m., Monday, January 22, 1979.

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

On the question "Shall the motion to adjourn prevail?"

The ayes were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek

Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 33:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Howell	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Welsh			

Absent or not voting, 12:

Arnould	Chioldo	Connors	Cusack
Hanson, D.	Hinkhouse	Horn	Hullinger
Miller	Oxley	Wells	Woods

The motion prevailed.

REREFERRED TO COMMITTEE ON WAYS AND MEANS (House File 98)

Speaker Millen announced that House File 98, previously referred to the committee on transportation, is rereferred to the committee on ways and means.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House Joint Resolution 3

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House Joint Resolution 5

State Government: Shimanek, Chair; Lageschulte and Halvorson of Webster.

House File 2

Commerce: Pelton, Chair; Rapp and Shull.

House File 6

Transportation: Kirkenslager, Chair; Tofte and Davitt.

House File 7

Transportation: Schnekloth, Chair; McKean and Hinkhouse.

House File 8

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

House File 9

Transportation: Schroeder, Chair; Hoffmann and Jay.

House File 12

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

House File 14

Ways and Means: Conlon, Chair; Chiodo, Diemer, Shull, Lura, Jochum and Davitt.

House File 16

Natural Resources: Tofte, Chair; Van Maanen and Lloyd-Jones.

House File 17

Judiciary and Law Enforcement: Jesse, Chair; Smalley and Lonergan.

House File 27

Transportation: Hoffmann, Chair; Schroeder and Woods.

House File 30

State Government: Lageschulte, Chair; Hibbs and Bina.

House File 31

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

House File 32

Transportation: Tofte, Chair; Pellett and Hullinger.

House File 33

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 37

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 40

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 42

Transportation: McKean, Chair; Schnekloth and Hinkhouse.

House File 43

County Government: Clark of Cerro Gordo, Chair; Connolly and Johnson of Howard.

House File 44

Commerce: Crabb, Chair; Bina and Swearingen.

House File 45

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 46

Commerce: Ritsema, Chair; Bruner and Egenes.

House File 47

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 48

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 49

State Government: Hoffmann, Chair; Lageschulte and Dieleman.

House File 52

County Government: Lageschulte, Chair; Binneboese and Branstad.

House File 54

Judiciary and Law Enforcement: Pelton, Chair; Holt and Patchett.

House File 58

County Government: Schnekloth, Chair; Dieleman and Shull.

House File 59

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 60

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 63

Energy: Smalley, Chair; Mullins and Perkins.

House File 65

Transportation: Lageschulte, Chair; Daggett and Hullinger.

House File 72

Education: Stromer, Chair; Thompson, Larsen, Menke, Diemer, Horn, Norland, Patchett, Groth, Jay and Crawford.

House File 74

Education: Stromer, Chair; Thompson, Crawford, Larsen, Menke, Diemer, Horn, Norland, Patchett, Groth and Jay.

House File 77

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 7**

Commerce: Hibbs, Chair; Dieleman and Pope.

Study Bill 8

Judiciary and Law Enforcement: Anderson of Audubon, Chair; Clark of Cerro Gordo and Rapp.

Study Bill 12

Judiciary and Law Enforcement: Smalley, Chair; Corey and Doyle.

Study Bill 13

(Revised)

Commerce: Evans, Chair; Pope and Woods.

Study Bill 23

Hibbs, Chair; Pope and Dieleman.

Study Bill 24

Commerce: Conlon, Chair; Jesse and Walter.

Study Bill 25

Judiciary and Law Enforcement: Johnson of Howard, Chair; Conlon and Walter.

Study Bill 26

Commerce: Hibbs, Chair; Dieleman and Pope.

Study Bill 27

State Government: Hoffmann, Chair; Lageschulte and Dieleman.

Study Bill 28

Ways and Means: Diemer, Chair; Shull and Connolly.

Study Bill 29

Energy: Lind, Chair; Danker and Sherzan.

Study Bill 30

Energy: Lind, Chair; Danker and Sherzan.

Study Bill 31

Energy: McKean, Chair; Poffenberger and Bruner.

Study Bill 32

Energy: Evans, Chair; McKean, Ritsema, Mullins, Van Maanen, Howell, Sherzan and Rapp.

Study Bill 37

County Government: Smalley, Chair; Welsh and Johnson of Howard.

Study Bill 38

County Government: Johnson of Linn, Chair; Howell and Tofte.

Study Bill 39

Agriculture: Van Maanen, Chair; Cochran and Tyrrell.

Study Bill 40

Agriculture: Anderson of Audubon, Chair; Husak and Mullins.

Study Bill 41

Agriculture: Corey, Chair; Schroeder and Halvorson of Webster.

Study Bill 42

Agriculture: Husak, Chair; Crabb and Chiodo.

Study Bill 43

Agriculture: De Groot, Chair; Husak, Bennett, Anderson of Audubon and Hinkhouse.

Study Bill 44

Agriculture: De Groot, Chair; Husak, Bennett, Anderson of Audubon and Hinkhouse.

Study Bill 45

Agriculture: Harbor, Chair; Sherzan and Mullins.

**COMMUNICATION FROM
COMMISSION ON UNIFORM STATE LAWS**

There is on file in the office of the Chief Clerk a report of the Commission on Uniform State Laws pursuant to Section 5.4, Code of Iowa.

**SPONSOR ADDED
(House File 84)**

Bina of Scott requested to be added as a sponsor of House File 84.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 39 Agriculture

To extend the restrictions of corporations buying agricultural land.

S.B. 40 Agriculture

Relating to maintenance of improvements along rights-of-way.

S.B. 41 Agriculture

Relating to nature of, preservation, perfection, priority and foreclosure of liens.

S.B. 42 Agriculture

To increase the appropriation to the livestock disease research fund.

S.B. 43 Agriculture

To establish a family enterprise loan assistance program to aid qualified individuals in obtaining credit to purchase farm or business real property, establishing a tax and making an appropriation.

S.B. 44 Agriculture

To promote the sale of farmland to landless persons who wish to farm, by creating a special form of corporation and by providing tax incentives.

S.B. 45 Agriculture

Concerning the establishment of the Iowa grain deposit guaranty fund corporation and specifying the powers, limitations, rights, liabilities, duties and obligations of the corporation.

S.B. 46 Ways and Means

Relating to time limitations for tax matters.

S.B. 47 Ways and Means

Relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the levying of a tax to aid in the payment of the bonds.

REPORTS OF COMMITTEE MEETINGS

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that the following reports of committee meetings have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Scheduled: 2:30 p.m., January 18, 1979

Convened: 2:40 p.m.

Adjourned: 4:25 p.m.

Present: Pellett, chair; Hummel, vice-chair; Hinkhouse, ranking member; Anderson of Audubon, Bennett, Byerly, Chiodo, Cochran, Corey, Crabb, Davitt, De Groot, Halvorson of Webster, Harbor, Husak, Mullins, Schroeder, Sherzan, Tyrrell and Van Maanen.

Absent: None.

Excused: Anderson of Jasper.

Study Bill 1, a bill for an act relating to the rate of the fee upon turkeys delivered for processing.

Recommended **Do Pass**.

Aye: Pellett, Hummel, Hinkhouse, Anderson of Audubon, Bennett, Chiodo, Cochran, Corey, Davitt, De Groot, Halvorson of Webster, Harbor, Husak, Mullins, Tyrrell and Van Maanen.

Nay: Byerly and Schroeder.

Absent or not voting: Crabb, Sherzan and Anderson of Jasper.

Presentation by Iowa Turkey Industry and assignment of study bills.

COMMITTEE ON COUNTY GOVERNMENT

Scheduled: 2:30 p.m., January 18, 1979

Convened: 2:40 p.m.

Adjourned: 3:00 p.m.

Present: Danker, chair; Clark of Lee, vice-chair; Binneboese, ranking member; Branstad, Connolly, Dieleman, Doyle, Gettings, Hanson of Delaware, Howell, Hullinger, Johnson of Howard, Johnson of Linn, Lageschulte, Oxley, Schneklloth, Shull, Smalley, Swearingen, Tofte and Welsh.

Absent: Bruner.

Excused: Clark of Cerro Gordo.

Assigned bills to subcommittees.

COMMITTEE ON EDUCATION
(Joint Meeting)

Scheduled: 2:30 p.m., January 18, 1979

Convened: 2:45 p.m.

Adjourned: 4:00 p.m.

Present: Stromer, chair; Thompson, vice-chair; Horn, ranking member; Crawford, Diemer, Groth, Hansen of O'Brien, Jay, Johnson of Woodbury, Krewson, Lonergan, Larsen, Lura, Maulsby, Menke, Norland, Patchett, Perkins, Spear and Wells.

Absent: None.

Excused: Daggett.

Assigned bills to subcommittees. Presentation by Department of Public Instruction.

AMENDMENTS FILED

H-3117	H.F. 81	Bina of Scott Norland of Worth Lloyd-Jones of Johnson Brandt of Black Hawk
H-3118	H.F. 81	Conlon of Muscatine Hanson of Delaware
H-3119	H.F. 81	Perkins of Greene
H-3120	H.F. 81	Chiodo of Polk
H-3121	H.F. 81	Conlon of Muscatine
H-3122	H.F. 81	Conlon of Muscatine
H-3123	H.F. 81	Bruner of Story Rapp of Black Hawk
H-3124	H.F. 81	Conlon of Muscatine
H-3125	H.F. 81	Conlon of Muscatine Hanson of Delaware
H-3129	H.F. 81	Chiodo of Polk
H-3130	H.F. 81	Davitt of Warren
H-3131	H.F. 81	Hall of Linn
H-3132	H.F. 81	Hall of Linn

H-3133	H.F. 81	Pavich of Pottawattamie
H-3134	H.F. 81	Bina of Scott
H-3135	H.F. 81	Pavich of Pottawattamie
H-3136	H.F. 81	Bruner of Story Rapp of Black Hawk
H-3137	H.F. 81	Bruner of Story Bina of Scott
H-3138	H.F. 81	Bina of Scott

On previous motion by Halvorson of Clayton, the House adjourned at 7:13 p.m., until 10:00 a.m., Monday, January 22, 1979.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day—Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 22, 1979

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

Prayer was offered by the Reverend Richard Ernst, pastor of the Hillside Wesleyan Church, Cedar Rapids, Iowa.

The Journal of Friday, January 19, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ruben Widmer, Department of Family Practice, University of Iowa, Iowa City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rapp of Black Hawk on request of Norland of Worth.

PRESENTATION OF VISITORS

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

Forty-five second and third grade students from St. Theresa's Catholic School, Des Moines, Iowa, accompanied by Debra Valbracht. By Krewson and Smalley of Polk.

MEMBER'S OATH OF OFFICE

The following member took and subscribed to the oath of office as follows:

"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 and impartially discharge the duties of the office of Representative in the General Assembly of the State of Iowa to the best of my ability, so help me God."

Kenneth D. Miller

RULE 36.8 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend Rule 36.8 of the temporary rules of the House during consideration on House File 81 on January 22, 1979.

INTRODUCTION OF BILLS

House Joint Resolution 6, by Schroeder, a joint resolution disapproving the department of environmental quality's amendments to Iowa administrative code 400-1.2 (7), 400-3.1 (455B), and 400-4.5 (3) published in the Iowa administrative code supplement of May 17, 1978.

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

House Joint Resolution 7, by Crabb, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the selection, terms of office and compensation of judicial officers.

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

House File 109, by Spear, Lloyd-Jones and Jay, a bill for an act relating to the payment of expenses to members of the general assembly.

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

House File 110, by Walter, Hinkhouse, Binneboese, Wells, Bina, Horn, Arnould, Woods, Howell, Pavich, Gettings, Shimanek, Kirkenslager and Chiodo, a bill for an act relating to the authorization to manufacture, distribute, sell, prescribe and use amygdalin in this state and providing a penalty.

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

House File 111, by Wells and Spear, a bill for an act relating to the official nickname of the state of Iowa.

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

House File 112, by Crabb, a bill for an act relating to the governmental-tort immunity of state and local governmental units.

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

House File 113, by Hibbs, a bill for an act to require that students in grades nine through twelve take an economics course stressing the concepts of the private enterprise system.

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

House File 114, by Harbor, a bill for an act to eliminate continuing education requirements for barbers.

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

House File 115, by Patchett, a bill for an act relating to disclosure of records of depositors' accounts maintained by banks.

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

House File 116, by Bennett, a bill for an act allowing a school pupil's parent or guardian to waive the pupil's right to transportation to and from school.

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

House File 117, by Crabb, a bill for an act relating to the scheduling of football games between the men's intercollegiate football teams of the state university of Iowa and the Iowa state university of science and technology.

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

House File 118, by Danker, a bill for an act to prohibit the use of public funds for lobbying and to provide a penalty.

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

House File 119, by Crabb, a bill for an act to remove the mandatory deposit on beverage containers containing alcoholic liquor and repeal an annual appropriation.

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

House File 120, by Schnekloth, a bill for an act relating to the classification of residential rental property for tax purposes.

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

House File 121, by Hansen of O'Brien, Welden and Holt, a bill for an act relating to the recovery of attorney fees paid by the county.

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

HOUSE CONCURRENT RESOLUTION 5

By Halvorson of Clayton

- 1 *Be It Resolved by the House, the Senate*
- 2 *Concurring*, That a joint convention of the two houses
- 3 of the Sixty-eighth General Assembly be held on
- 4 Tuesday, February 6, 1979, at 11:00 a.m.
- 5 *Be It Further Resolved*, That Chief Justice
- 6 of the Supreme Court, W. Ward Reynoldson be invited
- 7 to present at this joint convention his message
- 8 of the condition of the judicial department, and
- 9 recommend such matters as the chief justice deems
- 10 expedient, pursuant to chapter 684 of the Code.

Laid over under Rule 30.

CONSIDERATION OF BILL (Regular Calendar)

House File 81, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas, was taken up for consideration.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

(House File 81 pending at adjournment.)

REFERRED TO COMMITTEE ON RULES
(Senate Concurrent Resolution 3)

The Speaker announced that Senate Concurrent Resolution 3, laid over under Rule 30, was referred to the committee on rules.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 48 Judiciary and Law Enforcement

To amend the accommodation offense to apply only to one ounce or less of marijuana, not to other controlled substances and not to more than one ounce of marijuana.

S.B. 49 Judiciary and Law Enforcement

Relating to computation of the amount of annuity to which a judge may be entitled under provisions of the judicial retirement system.

S.B. 50 Judiciary and Law Enforcement

Relating to reimbursement for travel expenses for members of the judicial branch of government.

S.B. 51 Judiciary and Law Enforcement

Relating to the Criminal Justice System Reform Act.

S.B. 52 Judiciary and Law Enforcement

Relating to domestic abuse and providing a penalty.

AMENDMENTS FILED

H—3139	H.F. 81	Evans of Grundy Hansen of O'Brien
H—3140	H.F. 81	Spear of Lee

H—3141	H.F. 81	West of Marshall Norland of Worth Hall of Linn Conlon of Muscatine Hanson of Delaware
H—3142	H.F. 81	Pope of Polk
H—3143	H.F. 81	Norland of Worth
H—3144	H.F. 81	Norland of Worth Bina of Scott
H—3145	H.J.R. 5	Danker of Pottawattamie Anderson of Audubon
H—3146	H.J.R. 5	Danker of Pottawattamie Anderson of Audubon
H—3147	H.J.R. 5	Anderson of Audubon Danker of Pottawattamie
H—3148	H.F. 81	Conlon of Muscatine
H—3149	H.F. 81	West of Marshall Krewson of Polk Conlon of Muscatine
H—3150	H.F. 81	West of Marshall Krewson of Polk
H—3151	H.J.R. 5	Connors of Polk
H—3152	H.F. 81	Norland of Worth Bina of Scott Anderson of Jasper
H—3153	H.F. 81	Norland of Worth Bina of Scott Anderson of Jasper

On motion by Halvorson of Clayton, the House adjourned at 1:15 p.m., until 9:00 a.m., Tuesday, January 23, 1979.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day — Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 23, 1979

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

Prayer was offered by the Honorable Harold Van Maanen, state representative from Mahaska County.

The Journal of Monday, January 22, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ed. Hirl, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rapp of Black Hawk on request of Norland of Worth.

PETITION FILED

The following petition was received and placed on file:

By Brandt of Black Hawk from twenty-one constituents of the thirty-fifth district favoring share drafts.

INTRODUCTION OF BILLS

House Joint Resolution 8, by Danker, a joint resolution proposing an amendment to the Constitution of the state of Iowa requiring the state to pay the increased costs to a local government for state mandated programs.

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

House Joint Resolution 9, by Danker and Anderson of Audubon, a joint resolution rescinding ratification of the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

House File 122, by Danker, a bill for an act providing for the maintenance of a registry in the district court relating to dispositions of criminal actions.

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

House File 123, by Lageschulte, a bill for an act to reduce the salaries for members of the general assembly.

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

House File 124, by Jochum, a bill for an act permitting an employee to choose the care given under workers' compensation medical benefits.

Read first time and referred to committee on **labor and industrial relations**.

House File 125, by Bina, a bill for an act authorizing counties to impose a local option sales and service tax, providing for state administration, property tax relief and penalties.

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

House File 126, by Brandt, a bill for an act relating to state and county payments for burial expenses.

Read first time and referred to committee on **human resources**.

House File 127, by Spear, a bill for an act relating to the consolidation of offices of county attorney.

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

House File 128, by Hansen of O'Brien, a bill for an act to provide a weighted enrollment for gifted and talented children.

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

House File 129, by Smalley, a bill for an act providing that a plan of restitution is a condition of parole.

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

House File 130, by Hinkhouse, a bill for an act relating to the requirements for licensing of nursing home administrators.

Read first time and referred to committee on **human resources**.

House File 131, by Evans, Hanson of Delaware and Johnson of Howard, a bill for an act to increase the maximum interest rate applicable to certain tax anticipatory warrants to six percent.

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

HOUSE CONCURRENT RESOLUTION 6

By Halvorson of Clayton and Avenson

1 *Whereas*, the United Nations general assembly on
2 December 21, 1976, passed a resolution proclaiming 1979
3 to be the International Year of the Child and 1979 is the
4 twentieth anniversary of the Declaration of Rights of the
5 Child; and

6 *Whereas*, a National Commission for the International
7 Year of the Child was established by executive order in
8 April of 1978; and

9 *Whereas*, Governor Robert D. Ray has created by executive
10 order the Iowa Commission on the International Year of the
11 Child which has adopted the slogan "Growing Together in
12 Iowa" and which supports the goals of the United Nations and
13 the National Commission of providing current and effective
14 resolution to children's problems and needs, especially
15 those problems and needs which deny a minimum of health,
16 nutrition, and education to an estimated three hundred
17 fifty million children of this world; *Now Therefore*,

18 *Be It Resolved By The House Of Representatives, The*
19 *Senate Concurring,* That the General Assembly of the state
20 of Iowa endorse the intent and goals of the United Nations,
21 the National Commission for the International Year of the
22 Child, and the Iowa Commission on the International Year
23 of the Child and declare its intent to consider, review,
24 and approve laws and efforts implementing children's
25 programs and identify those programs beneficial to the
26 children of the state.

Laid over under Rule 30.

On motion by Halvorson of Clayton the House was recessed until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF IOWA'S JUNIOR MISS

Bruner of Story escorted to the Speaker's station and presented to the House Iowa's Junior Miss, Tamara Lu Kuhn from Ames, Iowa. Miss Kuhn stated she received a \$1000 scholarship and a four-year college scholarship when chosen Iowa's Junior Miss. She will represent the State of Iowa in the America Junior Miss Pageant in April in Mobile, Alabama. While in Alabama, she will be visiting a fifth grade class who are studying the State of Iowa. She was accompanied by her parents, Mr. and Mrs. Roy Kuhn, and her sister, Christy. The House rose and expressed its welcome.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Bina of Scott asked and received unanimous consent to add

Arnould of Scott and Cusack of Scott as sponsors of amendment H—3117.

Bina of Scott offered the following amendment H—3117 filed by Bina, et al.:

H—3117

1 Amend House File 81 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. **NEW SECTION.** The governing body of
5 a city may, by ordinance, designate an area of the
6 city as a revitalization area, if that area is either
7 of the following:

8 1. An area in which there is a predominance of
9 buildings or improvements, whether residential or
10 nonresidential, which by reason of dilapidation,
11 deterioration, age, obsolescence, inadequate provision
12 for ventilation, light, air, sanitation, or open
13 spaces, high density of population and overcrowding,
14 the existence of conditions which endanger life or
15 property by fire and other causes or a combination
16 of such factors, is conducive to ill health,
17 transmission of disease, infant mortality, juvenile
18 delinquency or crime, and which is detrimental to
19 the public health, safety, or welfare.

20 2. An area which by reason of the presence of
21 a substantial number of deteriorated or deteriorating
22 structures, predominance of defective or inadequate
23 street layout, faulty lot layout in relation to size,
24 adequacy, accessibility or usefulness, unsanitary
25 or unsafe conditions, deterioration of site or other
26 improvements, diversity of ownership, tax or special
27 assessment delinquency exceeding the actual value
28 of the land, defective or unusual conditions of title,
29 or the existence of conditions which endanger life
30 or property by fire and other causes, or a combination
31 of such factors, substantially impairs or arrests
32 the sound growth of a municipality, retards the
33 provision of housing accommodations or constitutes
34 an economic or social liability and is a menace to
35 the public health, safety, or welfare in its present
36 condition and use.

37 **Sec. 2. NEW SECTION.** A city may only exercise
38 the authority conferred upon it in this Act after
39 the following conditions have been met:

40 1. The governing body has adopted a resolution
41 finding that the rehabilitation, conservation,
42 redevelopment, or a combination thereof of the area
43 is necessary in the interest of the public health,

44 safety, or welfare of the residents of the city and
45 the area meets the criteria of section one (1) of
46 this Act.

47 2. The city has prepared a plan for the designated
48 revitalization area. The plan shall include:

49 a. A legal description of the real estate forming
50 the boundaries of the proposed area along with a map

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1 depicting the existing parcels of real estate and
2 their use within the proposed area.

3 b. The existing assessed valuation of the real
4 estate in the area delineating land and improvement
5 values.

6 c. A list of names and addresses of the owners
7 of record of real estate within the area.

8 d. The existing zoning classifications and
9 districts within the area. When the plan involves
10 specific development projects there shall be an
11 analysis of the projects which shall include costs
12 and cost estimates of the projects, a schedule of
13 the time anticipated for the completion of major
14 segments as well as the entire project, and evidence
15 of the arrangement made by both the owner and the
16 developer for financing the costs of the project.

17 e. Proposals for improving or expanding city
18 services within the area including but not limited
19 to transportation facilities, sewage, garbage
20 collection, street maintenance, park facilities and
21 police and fire protection.

22 f. A statement specifying whether the
23 revitalization is applicable to residential, commercial
24 or industrial property within the designated area
25 or a combination thereof and whether the revitalization
26 is for rehabilitation and additions to existing
27 buildings or new construction or both. The city shall
28 state how long it is estimated that the area shall
29 remain a designated revitalization area which time
30 shall be longer than one year from the date of designa-
31 tion and shall state any plan by the city to issue
32 revenue bonds for revitalization projects within the
33 area.

34 g. The provisions that have been made for the
35 relocation of persons, including families, business
36 concerns and others, whom the city anticipates will
37 be displaced as a result of improvements to be made
38 in the designated area.

39 3. The city has filed a copy of the plan for the
40 designated revitalization area with the city
41 development board at least thirty days before the

42 scheduled public hearing.

43 4. The city has scheduled a public hearing and
44 notified all owners of record of real property located
45 within the proposed area and the city development
46 board in accordance with section three hundred sixty-
47 two point three (362.3) of the Code. In addition
48 to notice by publication, notification shall also
49 be given by ordinary mail to the last known address
50 of the owners of record.

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1 5. The public hearing has been held.

2 6. The city development board has approved the
3 plan for the designated area. However, in lieu of
4 the board's approval, the city may schedule a second
5 public hearing with notice as provided in subsection
6 four (4) of this section no sooner than sixty days
7 nor later than six months after the first hearing.
8 At this second hearing, the city may offer an amended
9 plan or consider the specifics of the board's
10 objection. After the second public hearing, the city
11 may by ordinance designate an area a revitalization
12 area without city development board approval if all
13 other requirements have been met.

14 7. A second public hearing has been held upon
15 the receipt by the governing body of a petition signed
16 by at least ten percent of the owners of record of
17 real property located within the proposed area and
18 by at least ten percent of the adults renting real
19 property located within the proposed area. The
20 petition must be filed not later than sixty days after
21 the holding of the first public hearing. Upon receipt
22 and verification of the petition, the governing body
23 shall hold a second public hearing, with notice as
24 provided in subsection four (4) of this section, no
25 sooner than sixty days nor later than six months after
26 the first hearing. The governing body does not have
27 to hold two separate public hearings under subsections
28 six (6) and seven (7) of this section for the same
29 area.

30 **Sec. 3. NEW SECTION.**

31 1. If an area zoned for residential use or
32 commercial use for residential purposes or mixed
33 commercial and residential uses is rezoned on or after
34 the effective date of this Act for any other use,
35 the city shall not adopt a resolution designating
36 that area as a part of a revitalization area for at
37 least five years after the date on which that area
38 was rezoned.

39 2. After the city designates an area a
40 revitalization area, the city shall not rezone an
41 area zoned for residential use or commercial use for

42 residential purposes or mixed commercial and
43 residential uses to any other use within that
44 revitalization area during the time the area remains
45 designated a revitalization area or for seven years
46 from the date of the designation as a revitalization
47 area, whichever time is the lesser.
48 3. The provisions in this section restricting
49 a city from designating an area a revitalization area
50 if that area has been rezoned or restricting a city

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1 from rezoning an area within a revitalization area
2 do not apply to any of the following:
3 a. The rezoning of an area consisting solely of
4 land on which no structure exists at the time of
5 rezoning unless structures previously existing on
6 the land have been removed for the purpose of
7 qualifying for this exception.
8 b. The rezoning of an area if before the rezoning
9 the city has entered into agreements with all
10 developers and the persons and businesses involved
11 to insure that relocation payments or rent supplements
12 will be provided as required by section seven (7)
13 of this Act.
14 c. The rezoning of an area for which an urban
15 renewal project has been approved pursuant to chapter
16 four hundred three (403) of the Code.
17 d. The rezoning of an area if the governing body
18 has provided in its plan that the percentage of real
19 property, based on land area, located within that
20 area which will be used for residential use, commercial
21 use for residential purposes or mixed commercial and
22 residential use will approximate the percentage of
23 real property, based on land area, used for those
24 purposes before the rezoning. This exception shall
25 apply only to areas rezoned by a two-thirds vote of
26 the members of the governing board.
27 4. For purposes of this section, zoning for "mixed
28 commercial and residential uses" means a zoning
29 classification in which small scale commercial uses
30 are permitted in an otherwise predominantly residential
31 environment.

32 **Sec. 4. NEW SECTION.**

33 1. All qualified real estate is eligible to receive
34 a one hundred percent exemption from assessment and
35 taxation on the actual value, not to exceed two hundred
36 fifty thousand dollars, added to that real estate
37 by the improvements. The exemption is for a period
38 of seven years.
39 2. All qualified real estate assessed as commercial
40 property, consisting of three or more separate living

41 quarters, with at least seventy-five percent of the
42 space used for residential purposes, or assessed as
43 residential property is eligible to receive a partial
44 exemption from assessment and taxation for a period
45 of ten years. The amount of the partial exemption
46 is equal to a percent of the actual value of the
47 existing buildings and the actual value added by the
48 improvements made during the time the area was
49 designated a revitalization area, determined as
50 follows:

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- 1 a. For the first year, fifty percent.
 - 2 b. For the second year, forty-five percent.
 - 3 c. For the third year, forty percent.
 - 4 d. For the fourth year, thirty-five percent.
 - 5 e. For the fifth year, thirty percent.
 - 6 f. For the sixth year, twenty-five percent.
 - 7 g. For the seventh year, twenty-five percent.
 - 8 h. For the eighth year, twenty percent.
 - 9 i. For the ninth year, twenty percent.
 - 10 j. For the tenth year, fifteen percent.
- 11 However, the amount of actual value used in
12 computing the assessed value of the existing buildings
13 and those improvements shall not be less during the
14 ten-year exemption period than it was in the year
15 immediately preceding the year in which an exemption
16 is first granted.
- 17 3. The owners of qualified real estate eligible
18 for the exemption provided in subsection two (2) of
19 this section shall elect to take either the exemption
20 provided in subsection one (1) or subsection two (2)
21 of this section. Once the election has been made
22 and the exemption granted, the owner is not permitted
23 to change the method of exemption.
- 24 4. "Qualified real estate" as used in this Act
25 means real property, other than land, which is located
26 in a designated revitalization area and to which
27 improvements have been added, during the time the
28 area was so designated, which have increased the
29 actual value by at least twenty-five percent or at
30 least fifteen percent in the case of real property
31 assessed as residential property. "Qualified real
32 estate" also means land upon which no structure existed
33 at the start of the new construction, which is located
34 in a designated revitalization area and upon which
35 new construction has been added during the time the
36 area was so designated. "Improvements" as used in
37 this Act includes rehabilitation and additions to
38 existing structures as well as new construction on
39 vacant land or on land with existing structures.
- 40 Sec. 5. NEW SECTION. A person may submit a

41 proposal for a construction project to the governing
42 body of the city to seek prior approval for eligibility
43 for a tax exemption on the project. The governing
44 body shall, by resolution, give its prior approval
45 for a construction project if the project is in
46 conformance with the plan for revitalization developed
47 by the city. If the proposal is not approved, the
48 person may submit an amended proposal for the governing
49 body to approve or reject.
50 An application shall be filed for each new exemption

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1 claimed. The first application for an exemption shall
2 be filed by the owner of the property with the
3 governing body of the city in which the property is
4 located by February first of the assessment year for
5 which the exemption is first claimed, but not later
6 than the year in which all improvements included in
7 the construction project are first assessed for
8 taxation. The application shall be made on forms
9 prescribed by the director of revenue, and shall
10 contain information pertaining to the nature of the
11 improvement, its cost, the completion date or estimated
12 completion date of construction of the improvement,
13 and other information deemed necessary by the director
14 of revenue. The governing body of the city shall
15 approve the application, subject to review by the
16 local assessor pursuant to section six (6) of this
17 Act, if the construction project is in conformance
18 with the plan for revitalization developed by the
19 city, is located within a designated revitalization
20 area and the improvements were made during the time
21 the area was so designated. The governing body of
22 the city shall forward for review all approved
23 applications to the appropriate local assessor by
24 March first of each year with a statement indicating
25 whether subsection one (1) or subsection two (2) of
26 section four (4) of this Act would apply. Applications
27 for exemption for succeeding years on approved projects
28 shall be filed directly with the local assessor by
29 March first on claims prescribed by the director of
30 revenue.

31 Sec. 6. NEW SECTION. The local assessor shall
32 review each first-year application to determine if
33 the improvements made increased the actual value of
34 the qualified real estate by at least twenty-five
35 percent or at least fifteen percent in the case of
36 real property assessed as residential property. If
37 the assessor determines that the actual value of that
38 real estate has increased by at least twenty-five
39 percent or at least fifteen percent in the case of

40 real property assessed as residential property, the
41 assessor shall proceed to determine the actual value
42 of the property and certify the valuation determined
43 pursuant to section four (4) of this Act to the county
44 auditor at the time of transmitting the assessment
45 rolls. However, if a new structure is erected on
46 land upon which no structure existed at the start
47 of the construction project, the assessor shall proceed
48 to determine the actual value of the property and
49 certify the valuation determined pursuant to section
50 four (4) of this Act to the county auditor at the

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1 time of transmitting the assessment rolls. The
2 assessor shall notify the applicant of the
3 determination, and the assessor's decision may be
4 appealed to the local board of review at the times
5 specified in section four hundred forty-one point
6 thirty-seven (441.37) of the Code. If an application
7 for exemption is denied as a result of failure to
8 sufficiently increase the value of the real estate
9 as provided in section four (4) of this Act, the owner
10 may file a first annual application in a subsequent
11 year when additional improvements are made to satisfy
12 requirements of section four (4) of this Act, and
13 the provisions of section five (5) of this Act shall
14 apply. For applications for each succeeding year,
15 the local assessor shall determine the actual value
16 of the property and certify to the county auditor
17 the valuation of the property as determined pursuant
18 to section four (4) of this Act.

19 **Sec. 7. NEW SECTION.** Upon application to it and
20 after verification by it, the city shall provide
21 relocation payments to or with respect to persons,
22 including families, business concerns and others
23 displaced as a result of improvements made in a
24 designated revitalization area. The payments shall
25 be made for moving expenses and losses of property
26 for which reimbursement or compensation has not
27 otherwise been provided. In addition, the city shall
28 provide rent supplements to families who are forced
29 to relocate because of improvements made within the
30 area, if necessary in order to house the family in
31 decent, safe and sanitary housing and if the family
32 does not have sufficient means, as determined by the
33 city, to pay the required rent for such housing and
34 if reimbursement or compensation has not otherwise
35 been provided. A rent supplement for a family shall
36 not continue for more than five years.

37 **Sec. 8. NEW SECTION.** When in the opinion of the
38 governing body of a city the desired level of
39 revitalization has been attained or economic conditions

40 are such that the continuation of the exemption granted
41 by this Act would cease to be of benefit to the city,
42 the governing body may repeal the ordinance
43 establishing a revitalization area. In such event,
44 all existing exemptions shall continue until their
45 expiration.

46 Sec. 9. NEW SECTION. Residential real estate
47 located within an area designated as a revitalization
48 area pursuant to section one (1) of this Act, is not
49 subject to the additional tax imposed by section four
50 hundred forty-five point sixty-three (445.63) of the

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1 Code.

2 Sec. 10. Section three hundred sixty-eight point
3 ten (368.10), unnumbered paragraph one (1), Code 1979,
4 is amended to read as follows:

5 The board shall conduct studies of city development,
6 and shall submit an annual report to the governor
7 and the general assembly. This report shall include
8 an analysis of all plans for designated revitalization
9 areas filed with the board pursuant to this Act since
10 the last annual report.

11 Sec. 11. Section four hundred three point nine
12 (403.9), Code 1979, is amended by adding the following
13 new subsection:

14 NEW SUBSECTION. Municipalities may also issue
15 revenue bonds for projects located within an urban
16 renewal area or an area designated a revitalization
17 area pursuant to this Act. These revenue bonds shall
18 be issued pursuant to the provisions of chapter four
19 hundred nineteen (419) of the Code and all provisions
20 of chapter four hundred nineteen (419) of the Code,
21 to the extent consistent with the provisions of this
22 chapter in the case of urban renewal areas or of this
23 Act in the case of revitalization areas, shall apply,
24 except that:

25 a. The term "project" as defined in section four
26 hundred nineteen point one (419.1) of the Code includes
27 land, buildings, or improvements which are suitable
28 for use as residential property or for the use of
29 a commercial enterprise or nonprofit organization
30 which the governing body finds is consistent with
31 the urban renewal plan or the revitalization plan,
32 as the case may be.

33 b. Sections four hundred nineteen point eight
34 (419.8) and four hundred nineteen point fourteen
35 (419.14) of the Code shall not be construed to limit
36 the powers of a municipality granted under this chapter
37 in the case of an urban renewal area or under this
38 Act in the case of a revitalization area.

39 The power to issue revenue bonds pursuant to this

- 40 subsection is in addition to other powers granted
 41 municipalities to aid urban renewal areas and
 42 revitalization areas.
 43 Sec. 12. This Act applies to all cities including
 44 special charter cities.
 45 Sec. 13. This Act is effective January first
 46 following its enactment."

Bina of Scott moved the adoption of amendment H—3117.

Roll call was requested by Arnould of Scott and Cusack of Scott.

On the question "Shall amendment H—3117 be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Crabb	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Husak	Lonergan	Rapp
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Amendment H—3117 lost.

Davitt of Warren offered the following amendment H-3130 filed by him:

H-3130

1 Amend House File 81 as follows:

2 1. Page 1, line 1, by inserting after the word
3 "city" the words "or county".

4 2. Page 1, line 2, by inserting after the word
5 "by" the words "resolution or".

6 3. Page 1, line 2, by inserting after the word
7 "city" the words "or of the unincorporated area of
8 the county".

9 4. Page 1, line 29, by inserting after the word
10 "city" the words "or county".

11 5. Page 2, line 1, by inserting after the word
12 "city" the words "or county".

13 6. Page 2, line 3, by inserting after the word
14 "city" the words "or county".

15 7. Page 2, line 4, by inserting after the word
16 "area." the words "In the case of a county, the
17 designated area shall not include within it any
18 incorporated area."

19 8. Page 2, line 17, by striking the word "city"
20 and inserting in lieu thereof the word "governmental".

21 9. Page 2, line 25, by striking the word "city"
22 and inserting in lieu thereof the words "governing
23 body".

24 10. Page 2, line 29, by striking the word "city"
25 and inserting in lieu thereof the words "governing
26 body".

27 11. Page 2, line 33, by striking the word "city"
28 and inserting in lieu thereof the words "governing
29 body".

30 12. Page 3, line 12, by striking the word "city"
31 and inserting in lieu thereof the words "governing
32 body".

33 13. Page 3, line 16, by inserting after the word
34 "Code" the words and figure "or in the case of a
35 county, in accordance with section six hundred eighteen
36 point fourteen (618.14) of the Code".

37 14. Page 3, line 30, by striking the word "city"
38 and inserting in lieu thereof the words "governing
39 body".

40 15. Page 3, line 32, by striking the word "city"
41 and inserting in lieu thereof the words "governing
42 body".

43 16. Page 4, line 35, by inserting after the word
44 "city" the words "or within the unincorporated area
45 of a county".

46 17. Page 5, line 1, by inserting after the word

- 47 "city" the words "or county".
 48 18. Page 5, line 2, by inserting after the word
 49 "city" the words "or county".
 50 19. Page 5, line 4, by inserting after the word

Page 2

- 1 "city" the words "or unincorporated area of the
 2 county".
 3 20. Page 5, line 25, by inserting after the word
 4 "city" the words "or county".
 5 21. Page 5, line 30, by striking the word "city"
 6 and inserting in lieu thereof the words "governing
 7 body".
 8 22. Page 6, by striking line 4 and inserting in
 9 lieu thereof the words "by February first".
 10 23. Page 6, line 11, by striking the word "city"
 11 and inserting in lieu thereof the words "governing
 12 body".
 13 24. Page 6, line 15, by striking the words "of
 14 the city".
 15 25. Page 6, line 18, by striking the word "city"
 16 and inserting in lieu thereof the words "governing
 17 body".
 18 26. Page 6, line 21, by striking the words "of
 19 the city".
 20 27. Page 7, line 30, by striking the words "of
 21 a city".
 22 28. Page 7, line 33, by inserting after the word
 23 "city" the words "or unincorporated area of the
 24 county".
 25 29. Page 8, by striking line 15 and inserting
 26 in lieu thereof the following:
 27 "Sec. 9. Section four hundred nineteen point two
 28 (419.2)".
 29 30. Page 8, line 17, by striking the words
 30 "Municipalities may also" and inserting in lieu thereof
 31 the word "To".
 32 31. Page 8, line 18, by inserting after the word
 33 "area" the words and figure "pursuant to chapter four
 34 hundred three (403) of the Code".
 35 32. Page 8, line 24, by striking the words "this
 36 chapter" and inserting in lieu thereof the words and
 37 figure "chapter four hundred three (403) of the Code".
 38 33. Page 9, lines 2 and 3, by striking the words
 39 "this chapter" and inserting in lieu thereof the words
 40 and figure "chapter four hundred three (403) of the
 41 Code".
 42 34. Page 9, line 9, by inserting after the word
 43 "all" the words "counties and".
 44 35. Amend the title by striking lines 3 and 4
 45 and inserting in lieu thereof the following: "area

46 of a city and county and authorizing cities and
 47 counties to issue revenue bonds for revitalization
 48 and urban renewal areas."

Schnekloth of Scott rose on a point of order that amendment H-3130 was not germane.

The Speaker ruled the point well taken and amendment H-3130 not germane.

Davitt of Warren asked for unanimous consent to suspend the rules governing germaneness for the consideration of amendment H-3130.

Objection was raised.

Davitt of Warren moved that the rules governing germaneness be suspended for the consideration of amendment H-3130.

Roll call was requested by Arnould of Scott and Davitt of Warren.

On the question "Shall the rules be suspended to consider amendment H-3130?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Halvorson, R.N.	Horn
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Miller	Norland
O'Kane	Patchett	Pavich	Perkins
Sherzan	Spear	Walter	Welsh
Woods			

The nays were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager

Krewson	Lageschulte	Larsen	Lind
Lorezen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 6:

Hinkhouse	Howell	Lonergan	Oxley
Rapp	Wells		

The motion lost.

Evans of Grundy offered the following amendment H-3139 filed by him and Hansen of O'Brien and moved its adoption:

H-3139

- 1 Amend House File 81 as follows:
- 2 1. Page 1, line 3, by striking the word "either"
- 3 and inserting in lieu thereof the word "any".
- 4 2. Page 1, by inserting after line 28 the following
- 5 numbered paragraph:
- 6 "3. An area in which there is a predominance of
- 7 buildings or improvements which by reason of age,
- 8 history, architecture or significance should be
- 9 preserved or restored to productive use."

Amendment H-3139 was adopted.

Bina of Scott asked and received unanimous consent to temporarily defer action on amendment H-3114.

Conlon of Muscatine offered the following amendment H-3122 filed by him and requested division as follows:

H-3122

- 1 Amend House File 81 as follows:

H-3122A

- 2 1. Page 3, line 6, by inserting after the word
- 3 "property" the words "of the same classification".

H-3122B

- 4 2. Page 3, line 14, by inserting after the word

5 "area" the words ", the tenants living within the
6 proposed area".
7 3. Page 3, line 18, by inserting after the word
8 "record" the words "and to the occupants of known
9 rental units located within the proposed area".

H-3122C

10 4. Page 4, line 30, by inserting after the word
11 "section" the words "or provided in the different
12 schedule adopted in the city plan if a different
13 schedule has been adopted".

H-3122D

14 5. Page 5, line 15, by striking the word "at"
15 and inserting in lieu thereof the words "for at least
16 one year prior to".

H-3122E

17 6. Page 5, line 22, by striking the words "actual
18 value added" and inserting in lieu thereof the words
19 "fair market value added to existing structures".

H-3122C

20 7. Page 6, line 14, by inserting after the word
21 "Act" the words "or in the different schedule, if
22 one has been adopted,".

23 8. Page 6, line 25, by inserting after the word
24 "applies" the words "or if a different schedule has
25 been adopted, which exemption from that schedule
26 applies".

H-3122D

27 9. Page 7, line 6, by striking the word "at" and
28 inserting in lieu thereof the words "for at least
29 one year prior to".

H-3122C

30 10. Page 7, line 25, by inserting after the word
31 "Act" the words ", or specified in the different
32 schedule if one has been adopted,".

H-3122F

33 11. Page 7, line 34, by inserting after the word
34 "area." the words "An ordinance establishing a
35 revitalization area shall automatically be repealed

36 ten years from the day the ordinance establishing
 37 the revitalization area is adopted unless the governing
 38 body within one year before the end of the ten year
 39 period adopts a resolution to continue that ordinance."

On motion by Conlon of Muscatine, amendment H—3122A was adopted.

Conlon of Muscatine offered the following amendment H—3148, to amendment H—3122B, filed by him:

H—3148

1 Amend amendment H—3122, to House File 81, as
 2 follows:
 3 1. Page 1, by striking lines 7 through 9 and
 4 inserting in lieu thereof the following:
 5 "3. Page 3, by striking lines 17 and 18 and
 6 inserting in lieu thereof the following: "shall be
 7 given by ordinary mail to the last known address of
 8 the owners of record who reside outside the proposed
 9 area, and to the "occupants" of city addresses
 10 located within the proposed area." "

Conlon of Muscatine asked and received unanimous consent to temporarily defer action on amendments H—3148 and H—3122B.

On motion by Conlon of Muscatine, amendment H—3122C was adopted.

Conlon of Muscatine moved the adoption of amendment H—3122D.

Roll call was requested by Patchett of Johnson and Jochum of Dubuque.

On the question "Shall amendment H—3122D be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Conlon	Connolly
Connors	Cusack	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hinkhouse	Horn	Howell
Hullinger	Hummel	Husak	Jay

Jesse	Jochum	Lloyd-Jones	Lura
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Ritsema	Spear
Swearingen	Walter	Wells	Welsh
Woodà			

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hibbs	Hoffmann	Holt
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 3:

Davitt	Lonergan	Rapp
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Amendment H—3122D lost.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3122E.

Conlon of Muscatine moved the adoption of amendment H—3122F.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—3122F be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodò	Conlon	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Halvorson, R.N.	Hanson, D.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Larsen
Miller	O'Kane	Oxley	Patchett
Pavich	Perkins	Swearingen	Tofte
Tyrrell	Wells	Welsh	Woods

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Connolly	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Hall
Halvorson, R.A.	Hansen, I.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Thompson	Van Maanen
Walter	Welden	West	Mr. Speaker

Absent or not voting, 4:

Cochran	Doyle	Lonergan	Rapp
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Amendment H—3122F lost.

Bruner of Story offered the following amendment H—3123 filed by him and Rapp of Black Hawk:

H—3123

- 1 Amend House File 81 as follows:
- 2 1. Page 3, by inserting after line 7 the following
- 3 lettered paragraph:
- 4 "i. A description of any federal, state, local
- 5 or private grant or loan program available for that
- 6 area for residential improvements."

Bruner of Story offered the following amendment H—3156, to amendment H—3123, filed by him and Krewson of Polk from the floor and moved its adoption:

H—3156

- 1 Amend the amendment H—3123 to House File 81 as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 6 and
- 4 inserting in lieu thereof the following:
- 5 "i. A description of any federal, state or private
- 6 grant or loan program likely to be a source of funding
- 7 for that area for residential improvements and a
- 8 description of any grant or loan program which the
- 9 city has or will have as a source of funding for that
- 10 area for residential improvements."

Amendment H—3156 was adopted.

On motion by Bruner of Story, amendment H—3123, as amended, was adopted.

Halvorson of Clayton asked and received unanimous consent to defer action on House File 81.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 5

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 5, relating to a state of the judiciary message, filed on January 22, 1979 and found on page 301 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lonergan of Boone on request of Husak of Tama.

APPOINTMENTS TO THE LAW ENFORCEMENT ACADEMY COUNCIL

Speaker Millen announced the appointments of Representative Lee Holt of Clay County and Representative Joseph Welsh of Dubuque County to the Law Enforcement Academy Council to fill unexpired terms ending August 14, 1980.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 53 Transportation

Prohibiting the use of pneumatic tires with inserted ice grips or tire studs.

S.B. 54 Transportation

Providing for the chemical testing of the pilot of an aircraft involved in an accident in which a fatality occurs.

S.B. 55 Transportation

Providing for the chemical testing of the operators of each motor vehicle involved in an accident in which a fatality occurs.

S.B. 56 Transportation

Relating to the registration and licensing of certain vehicles and manufacturers of vehicles by providing a registration fee schedule for ambulances, motor homes, and multipurpose vehicles, by defining a manufacturer of motor vehicles, by licensing certain persons manufacturing, distributing, and wholesaling motor vehicles, subject to penalties provided by law.

S.B. 57 Transportation

Requiring interstate carriers of commodities exempt from interstate commerce commission regulations to register with the state department of transportation and to institute an insurance requirement for exempt carriers.

S.B. 58 Transportation

Relating to the use of funds deposited in the state aviation fund.

S.B. 59 Transportation

Relating to the registration of nonresident vehicles.

S.B. 60 Transportation

Relating to the establishment of uniform regulatory controls for certain commercial carriers.

S.B. 61 County Government

Authorizing the use of federal revenue sharing funds for the purpose of courthouse remodeling in counties having a population of more than one hundred fifty thousand.

S.B. 62 Energy

Regulating the mining of coal, requiring reclamation of mining sites,

and providing for penalties for failure to comply with the provisions of this act.

S.B. 63 Commerce

Relating to share drafts.

S.B. 64 Judiciary and Law Enforcement

Changing the interest rate on money due on judgments and decrees.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON RULES

Senate Concurrent Resolution 3, relating to the joint rules of the sixty-eighth general assembly.

Recommended **Amend and Do Pass**.

H-3154

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 3, line 15 by striking the word "the"
- 3 and inserting in lieu thereof the word "that".
- 4 2. Page 11 by inserting after line 33 the
- 5 following:
- 6 "4. Rule 18 shall not apply to concurrent or
- 7 simple resolutions, senate confirmations, or bills
- 8 passed by both houses in different form prior to
- 9 being sent to a conference committee."

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Study Bill 8, making a technical correction to the chapter on termination of parental rights.

Recommended **Do Pass**.

Study Bill 11, to establish fees for private process servers.

Recommended **Amend and Do Pass**.

COMMITTEE ON WAYS AND MEANS

Study Bill 28, relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the act retroactive.

Recommended **Do Pass**.

AMENDMENTS FILED

H—3155	H.F. 81	Spear of Lee
H—3157	H.F.102	Spear of Lee
		Jay of Appanoose
H—3158	H.F. 81	Miller of Buchanan
H—3159	H.F. 81	Miller of Buchanan
H—3160	H.F. 81	Norland of Worth
		Anderson of Jasper
Bina of Scott		Avenson of Fayette
Arnould of Scott		Brandt of Black Hawk
Binneboese of Plymouth		Byerly of Polk
Bruner of Story		Connors of Polk
Cochran of Webster		Dieleman of Marion
Cusack of Scott		Groth of Buena Vista
Doyle of Woodbury		Halvorson of Webster
Hall of Linn		Howell of Floyd
Horn of Linn		Jay of Appanoose
Hullinger of Decatur		Oxley of Linn
O'Kane of Woodbury		Pavich of Pottawattamie
Patchett of Johnson		Sherzan of Polk
Perkins of Greene		Walter of Pottawattamie
Spear of Lee		Welsh of Dubuque
Wells of Linn		
Woods of Polk		
H—3161	H.F. 81	Bruner of Story
		Bina of Scott
		Cusack of Scott
H—3162	H.F. 81	Chiodo of Polk
H—3163	H.F. 81	Norland of Worth
		Bina of Scott
		Brandt of Black Hawk
		Pavich of Pottawattamie
		Bruner of Story
		Binneboese of Plymouth
H—3164	H.F. 81	Perkins of Greene

On motion by Halvorson of Clayton the House adjourned at 4:59 p.m., until 9:00 a.m., Wednesday, January 24, 1979.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day – Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 24, 1979

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

Prayer was offered by the Reverend Robert Bell, pastor of the Hope United Methodist Church, Marshalltown, Iowa.

The Journal of Tuesday, January 23, 1979 was approved.

INTRODUCTION OF BILLS

House File 132, by Brandt, a bill for an act requiring liability insurance coverage for vehicles operated on the highways of this state and providing penalties.

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

House File 133, by Hansen of O'Brien, a bill for an act relating to the solicitation of public donations.

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

House File 134, by Hansen of O'Brien, a bill for an act relating to the issuance and renewal of teacher certificates.

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

House File 135, by Jochum, a bill for an act relating to filings by a public utility of new or changed rates, charges, schedules, or regulations relating to utility service.

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

House File 136, by Jochum and Brandt, a bill for an act relating to the use of polygraph examinations as a condition of employment.

Read first time and referred to committee on **labor and industrial relations**.

House File 137, by Daggett and Jay, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies.

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

House File 138, by Bina, a bill for an act to provide for the issuance of special motor vehicle registration plates for members of the Iowa national guard.

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

House File 139, by committee on ways and means, a bill for an act relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the Act retroactive.

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

House File 140, by Spear, Perkins, Connors, Jay, Davitt, Norland, Hinkhouse, Binneboese, Gettings, Dieleman, Howell, Hullinger, Cochran, Sherzan, Bruner, Welsh, Halvorson of Webster, Anderson of Jasper, Patchett, Lonergan and Groth, a bill for an act relating to the compensation of township trustees and township clerks.

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

House File 141, by Wells, a bill for an act relating to the exceptions to real estate licensing requirements.

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

House File 142, by Pavich and Walter, a bill for an act to exempt from the use tax tangible personal property used in interstate transportation and commerce.

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

House File 143, by Clark of Cerro Gordo, a bill for an act relating to the collection of substance abuse treatment costs paid by the county on behalf of substance abusers.

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

House File 144, by Shimanek, a bill for an act to prohibit a lender from designating the attorney to represent a mortgagor in connection with the giving of a mortgage, and providing a penalty.

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

On motion by Halvorson of Clayton the House was recessed until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

Hansen of O'Brien called up for consideration House Concurrent Resolution 2, relating to establishing an Iowa Medal of Valor, filed on January 10, 1979 and found on pages 88 and 89 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

CONSIDERATION OF BILLS Regular Calendar

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that equality of rights of men and women under the law shall not be denied or restricted by the state or by any of its political subdivisions, with report of committee recommending passage was taken up for consideration.

Connors of Polk offered the following amendment H-3151 filed by him and asked for unanimous consent to withdraw amendment H-3151:

H-3151

- 1 Amend House Joint Resolution 5 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "State" the words "nor any agency of the state,".
- 4 2. Amend the title, line 4, by inserting after
- 5 the word "state" the words ", or an agency of the
- 6 state,".

Objection was raised.

Connors of Polk moved that amendment H-3151 be withdrawn.

Byerly of Polk rose on a point of order that under Mason's Manual of Legislative Procedure, a motion to withdraw is not debatable.

The Speaker ruled the point well taken.

On the motion to withdraw amendment H-3151, the motion prevailed and amendment H-3151 was withdrawn.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury for the remainder of the day on request of Hullinger of Decatur.

Anderson of Audubon asked and received unanimous consent to add De Groot of Lyon as a sponsor of amendment H-3147.

Anderson of Audubon offered the following amendment H-3147 filed by Anderson of Audubon, et al., and moved its adoption:

H-3147

- 1 Amend House Joint Resolution 5 as follows:
- 2 1. Page 1, line 13, by inserting after the period
- 3 the words "This section shall not be construed to
- 4 permit abortion on demand."

Roll call was requested by Danker of Pottawattamie and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—3147 be adopted?"

The ayes were, 20:

Anderson, J.	Bennett	Branstad	Conlon
Daggett	Danker	De Groot	Dieleman
Gettings	Hansen, I.	Johnson, W.	Lageschulte
Maulsby	Pellett	Schnekloth	Tyrrell
Van Maanen	Wells	Welsh	Woods

The nays were, 75:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Davitt	Diemer	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Kirkenslager	Krewson	Larsen
Lind	Lloyd-Jones	Lonerган	Lorenzen
Lura	McKean	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Pope	Ritsema	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Walter
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Chiodo	Doyle	Menke	Rapp
Schroeder			

Amendment H—3147 lost.

Danker of Pottawattamie offered the following amendment H—3146 filed by him and Anderson of Audubon and moved its adoption:

H—3146

- 1 Amend House Joint Resolution 5 as follows:
- 2 1. Page 1, line 13, by inserting after the period

- 3 the words "This section shall not prohibit single
- 4 sex athletic programs such as girls' or boys'
- 5 basketball, baseball or football teams."

Roll call was requested by Danker of Pottawattamie and Anderson of Audubon.

On the question "Shall amendment H—3146 be adopted?"

The ayes were, 16:

Anderson, J.	Bennett	Branstad	Crabb
Daggett	Danker	De Groot	Hullinger
Johnson, W.	Maulsby	Pellett	Schnekloth
Tyrrell	Van Maanen	Wells	Woods

The nays were, 78:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crawford
Cusack	Davitt	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	McKean
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Poffenberger	Pope	Ritsema
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Walter	Welden	Welsh
West	Mr. Speaker		

Absent or not voting, 6: -

Chiodo	Doyle	Hansen, I.	Menke
Rapp	Schroeder		

Amendment H—3146 lost.

Danker of Pottawattamie offered the following amendment H—3145 filed by him and Anderson of Audubon and moved its adoption:

H-3145

- 1 Amend House Joint Resolution 5 as follows:
- 2 1. Page 1, line 13, by inserting after the period
- 3 the words "This section shall not apply to anylaw
- 4 prohibiting sexual activity between persons of the
- 5 same sex or the marriage of persons of the same sex."

Roll call was requested by Danker of Pottawattamie and Anderson of Audubon.

Rule 80 was invoked.

On the question "Shall amendment H-3145 be adopted?"

The ayes were, 18:

Anderson, J.	Bennett	Branstad	Crabb
Daggett	Danker	De Groot	Hansen, I.
Hullinger	Johnson, J.	Johnson, W.	Lageschulte
Maulsby	Pellett	Tyrrell	Van Maanen
Wells	Woods		

The nays were, 76:

Anderson, R.	Arnould	Ayenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crawford
Cusack	Davitt	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, R.	Kirkenlager	Krewson	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	McKean	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Walter
Welden	Welsh	West	Mr. Speaker

Absent or not voting, 6:

Chiodo	Doyle	Menke	Rapp
Schroeder	Stromer		

Amendment H—3145 lost.

Krewson of Polk moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the joint resolution was read a last time.

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that equality of rights of men and women under the law shall not be denied or restricted by the state or by any of its political subdivisions.

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 one (1) of Article one (1) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

NEW SECTION. RIGHTS OF PERSONS. Section 1. All men and women are, by nature, free and equal, and have certain inalienable rights—among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness. Neither the State nor any of its political subdivisions shall, on the basis of gender, deny or restrict the equality of rights under the law.

Sec. 2. It is declared to be the intent of the general assembly in agreeing to the foregoing proposed amendment to the Constitution of the State of Iowa that a classification on the basis of gender shall not be held to deny or restrict equality of rights, if it can be established that such classification is necessary to accomplish a compelling state interest.

Sec. 3. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-seventh General Assembly, thereafter duly published, and now adopted and agreed to by the Sixty-eighth General Assembly, in this Joint Resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred eighty (1980) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

On the question "Shall the joint resolution be adopted and agreed to?" (HJR 5)

The ayes were, 83:

Anderson, R.
Bina

Arnould
Binneboese

Avenson
Brandt

Bennett
Bruner

Byerly	Chiòdo	Clark, B.J.	Clark, J.H.
Cochran	Connolly	Connors	Corey
Crawford	Cusack	Davitt	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, R.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Walter	Wells
Welsh	West	Mr. Speaker	

The nays were, 15:

Anderson, J.	Branstad	Conlon	Crabb
Daggett	Danker	De Groot	Harbor
Johnson, J.	Johnson, W.	Stromer	Tyrrell
Van Maanen	Welden	Woods	

Absent or not voting, 2:

Doyle	Rapp
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The joint resolution, having received a constitutional majority, was declared to have been adopted and agreed to by the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rapp of Black Hawk for the remainder of the day on request of Norland of Worth.

WAYS AND MEANS CALENDAR

The House resumed consideration of **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

Pope of Polk offered the following amendment H—3142 filed by him and moved its adoption:

H—3142

1 Amend House File 81 as follows:

2 1. Page 3, by inserting after line 7 the following
3 lettered paragraph:

4 "i. The percent increase in actual value
5 requirements that shall be used in lieu of the fifteen
6 and ten percent requirements specified in subsection
7 six (6) of section three (3) and in section five (5)
8 of this Act. This percent increase in actual value
9 requirements shall not be greater than that provided
10 in this Act and shall be the same requirements
11 applicable to all existing revitalization areas."

12 2. Page 5, by inserting after line 23 the following
13 subsection:

14 "7. The fifteen and ten percent increase in actual
15 value requirements specified in subsection six (6)
16 of this section shall apply to every revitalization
17 area within a city unless different percent increases
18 in actual value requirements are adopted in the city
19 plan as provided in section two (2) of this Act.
20 However, a city shall not adopt different requirements
21 unless every revitalization area within the city has
22 the same requirements and the requirements do not
23 provide for a greater percent increase than specified
24 in subsection six (6) of this section."

25 3. Page 6, line 32, by inserting after the words
26 "residential property" the words "or the applicable
27 percent increase requirement adopted by the city under
28 section two (2) of this Act".

29 4. Page 6, by striking lines 34 through page 7,
30 line 1 and inserting in lieu thereof the words "estate
31 has increased by at least the requisite percent, the
32 assessor shall proceed to determine".

Amendment H—3142 was adopted.

Bina of Scott asked and received unanimous consent to temporarily defer action on amendments H—3113, H—3134 and H—3138.

Norland of Worth asked and received unanimous consent to withdraw amendment H—3152 filed by Norland, et al., on January 22, 1979.

Norland of Worth asked and received unanimous consent to withdraw amendment H-3153 filed by Norland, et al., on January 22, 1979.

Hall of Linn offered the following amendment H-3131 filed by him and moved its adoption:

H-3131

- 1 Amend House File 81 as follows:
- 2 1. Page 4, line 7, by inserting after the word
- 3 "estate" the words "assessed as residential or
- 4 commercial property".

Roll call was requested by Davitt of Warren and Hall of Linn.

On the question "Shall amendment H-3131 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Walter
Wells	Welsh	Woods	

The nays were, 58:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Doyle

Groth

Rapp

Amendment H—3131 lost.

Norland of Worth offered the following amendment H—3144 filed by him and Bina of Scott and moved its adoption:

H—3144

1 Amend House File 81 as follows:

- 2 1. Page 4, line 8, by inserting after the word
3 "exemption" the words ", not to exceed two hundred
4 fifty thousand dollars,".
5 2. Page 4, line 24, by inserting after the word
6 "exemption" the words ", not to exceed two hundred
7 fifty thousand dollars,".

Roll call was requested by Anderson of Jasper and Bina of Scott.

On the question "Shall amendment H—3144 be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, J.H.	Cochran	Connolly
Connors	Cusack	Davitt	Dieleman
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope

Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Doyle	Jesse	Rapp
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Amendment H—3144 lost.

Bina of Scott asked and received unanimous consent for the immediate consideration of amendment H—3113.

Bina of Scott offered the following amendment H—3113 filed by him:

H—3113

1 Amend House File 81 as follows:
 2 1. Page 3, by inserting after line 29 the
 3 following:
 4 "7. A second public hearing has been held upon
 5 the receipt by the governing body of a petition signed
 6 by at least ten percent of the owners of record of
 7 real property located within the proposed area and
 8 by at least ten percent of the adults renting real
 9 property located within the proposed area. The
 10 petition must be filed not later than sixty days after
 11 the holding of the first public hearing. Upon receipt
 12 and verification of the petition, the governing body
 13 shall hold a second public hearing, with notice as
 14 provided in subsection four (4) of this section, no
 15 sooner than sixty days nor later than six months after
 16 the first hearing. The governing body does not have
 17 to hold two separate public hearings under subsections
 18 six (6) and seven (7) of this section for the same
 19 area."

West of Marshall offered the following amendment H—3170, to amendment H—3113, filed from the floor by West, Norland, Harbor, Cusack, Krewson, Pope, Lorenzen, Clark of Lee, Thompson, Hansen of O'Brien, Egenes, Bina, Wells, Howell, Spear, Welsh, Anderson of Jasper, Walter, Connors, Miller, Pavich, Hinkhouse, Binneboese, Jay, Welden, Johnson of Linn, Maulsby, Crawford, Crabb, Smalley, Pellett, Hoffmann, Kirkenlager, Dieleman, Lonergan, Brandt, Hall, Halvorson of Webster, Oxley, Horn, Cochran, Jesse, Byerly, Hullinger, Chiodo, Woods, Arnould, Connolly, Patchett, Tofte,

Halvorson of Clayton, Hummel, Daggett, Larsen, Conlon, Hanson of Delaware, Hibbs, Anderson of Audubon, Avenson, De Groot, Lageschulte, Diemer, Van Maanen, Norland Jochum, Bruner, O'Kane, Groth, Evans, Clark of Cerro Gordo, Mullins, McKean, Johnson of Woodbury, Poffenberger, Branstad, Shimanek, Pelton, Ritsema, Corey, Holt, Lura, Johnson of Howard, Menke and Lind and moved its adoption:

H-3170

- 1 Amend the amendment H-3113 to House File 81 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 19 and
- 4 inserting in lieu thereof the following:
- 5 "1. Page 3, lines 1 and 2, by striking the words
- 6 and figure "or three (3)" and inserting in lieu thereof
- 7 the words and figures ", three (3) or four (4)".
- 8 2. Page 3, by striking lines 20 through 29 and
- 9 inserting in lieu thereof the following:
- 10 "6. A second public hearing has been held if:
- 11 a. The city development board requests, by
- 12 certified mail, a second public hearing within thirty
- 13 days after receipt of the minutes of the first public
- 14 hearing or;
- 15 b. The city has received what it deems to be two
- 16 valid petitions requesting a second public hearing
- 17 within thirty days after the holding of the first
- 18 public hearing. One of the petitions shall contain
- 19 the signatures and current addresses of property
- 20 owners that represent at least ten percent of the
- 21 privately-owned property within the designated
- 22 revitalization area. The other petition shall contain
- 23 the signatures and current addresses of tenants that
- 24 represent at least ten percent of the residential
- 25 rental units within the designated revitalization
- 26 area. If the city has received two or more such
- 27 petitions within thirty days after the holding of
- 28 the first public hearing that were not deemed valid,
- 29 the petitions shall be forwarded to the city
- 30 development board which shall either confirm or deny
- 31 the validity of such petitions within ten days after
- 32 the receipt of such petitions. If the city development
- 33 board determines that the city has not recognized
- 34 valid petitions that would have required a second
- 35 public hearing, the city shall not adopt the proposed
- 36 plan without conducting the second public hearing.
- 37 At any such second public hearing the city may
- 38 specifically request those in attendance to indicate
- 39 the precise nature of desired changes in the proposed
- 40 plan."

- 41 3. Page 4, by striking lines 1 through 6 and
 42 inserting in lieu thereof the following: "property
 43 is eligible to receive an exemption from taxation
 44 based on the actual value, not to exceed twenty
 45 thousand dollars, added by the improvements. The
 46 exemption is for a period of ten years. The amount
 47 of the exemption is equal to a percent of the actual
 48 value, not to exceed twenty thousand dollars, added
 49 by the improvements, determined as follows:
 50 a. For the first year, two hundred per cent.

Page 2

- 1 b. For the second year, two hundred percent.
 2 c. For the third year, two hundred percent.
 3 d. For the fourth year, two hundred per cent.
 4 e. For the fifth year, one hundred eighty percent.
 5 f. For the sixth year, one hundred sixty percent.
 6 g. For the seventh year, one hundred forty percent.
 7 h. For the eighth year, one hundred twenty percent.
 8 i. For the ninth year, one hundred ten percent.
 9 j. For the tenth year, one hundred percent.
 10 However, the granting of the exemption shall not
 11 result in the actual value of the qualified real
 12 estate being reduced below the actual value on which
 13 the homestead credit is computed under section four
 14 hundred twenty-five point one (425.1) of the Code."
 15 4. Page 4, by inserting after line 26 the following
 16 subsection:
 17 "4. All qualified real estate assessed as
 18 commercial property, consisting of three or more
 19 separate living quarters with at least seventy-five
 20 percent of the space used for residential purposes,
 21 is eligible to receive a one hundred percent exemption
 22 from taxation on the value added by the improvements.
 23 The exemption is for a period of ten years."
 24 5. Page 4, line 30, by striking the words and
 25 figure "or three (3)" and inserting in lieu thereof
 26 the words and figures ", three (3) or four (4)".
 27 6. Page 4, line 34, by striking the words and
 28 figure "or three (3)" and inserting in lieu thereof
 29 the words and figures ", three (3) or four (4)".
 30 7. Page 6, line 24, by striking the words and
 31 figure "or three (3)" and inserting in lieu thereof
 32 the words and figures ", three (3) or four (4)".
 33 8. Page 7, line 25, by striking the words and
 34 figure "or three (3)" and inserting in lieu thereof
 35 the words and figures ", three (3) or four (4)".

Amendment H-3170 (to amendment H-3113) was adopted placing out of order the following amendments:

Amendment H—3114 (to page 3) filed by Bina of Scott on January 18, 1979.

Amendment H—3160 (to amendment H—3114 to page 3) filed by Norland, et al., on January 23, 1979.

Bina of Scott moved the adoption of amendment H—3113, as amended.

Roll call was requested by Anderson of Jasper and Norland of Worth.

On the question "Shall amendment H—3113, as amended, be adopted?"

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Cannolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Doyle

Patchett

Rapp

Woods

Amendment H—3113, as amended, was adopted.

(House File 81 pending at adjournment.)

MOTIONS TO RECONSIDER
(Amendment H—3113 to House File 81)

I move to reconsider the vote by which amendment H—3113, to House File 81, was adopted by the House on January 24, 1979.

BENNETT of Ida

(Amendment H—3170 to amendment H—3113)

I move to reconsider the vote by which amendment H—3170, to amendment H—3113 to House File 81, was adopted by the House on January 24, 1979.

BENNETT of Ida

SPONSORS ADDED
(Amendments H—3145 and H—3146 to House Joint Resolution 5)

De Groot of Lyon requested to be added as a sponsor of amendments H—3145 and H—3146 to House Joint Resolution 5.

(House File 128)

Mullins of Kossuth requested to be added as a sponsor of House File 128.

(House File 128)

Hibbs of Johnson requested to be added as a sponsor of House File 128.

STUDY BILL COMMITTEE ASSIGNMENTS

S. B. 65 Judiciary and Law Enforcement

To amend the Uniform Controlled Substance Act.

AMENDMENTS FILED

H-3165	H.F. 81	Spear of Lee
H-3166	H.F. 81	Spear of Lee
H-8167	H.F. 81	Bina of Scott
H-3168	H.F. 81	Miller of Buchanan
H-3169	H.F. 81	Conlon of Muscatine
		Pope of Polk
		Shimanek of Jones
		Bina of Scott
		West of Marshall
		Norland of Worth
		Krewson of Polk
		Hanson of Delaware
H-3171	H.F. 81	Cusack of Scott
		Bina of Scott

On motion by Halvorson of Clayton the House adjourned at 5:43 p.m., until 9:00 a.m., Thursday, January 25, 1979.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day—Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 25, 1979

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

Prayer was offered by the Reverend C.R. Gesell, pastor of the Augustana Lutheran Church, Manson, Iowa.

The Journal of Wednesday, January 24, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, Boone, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Smalley of Polk on request of Johnson of Howard.

INTRODUCTION OF BILLS

House Joint Resolution 10, by Spear, Hanson of Delaware, Bina, Bruner, Brandt, Dieleman, Krewson and Lloyd-Jones, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that the governor and lieutenant governor stand for election together on the ballot.

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

House File 145, by Crabb, a bill for an act relating to the maximum liability allowed by the Iowa Tort Claims Act and the chapter providing for tort liability of governmental subdivisions.

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

House File 146, by Spear, Lloyd-Jones, Welden, Brandt, Chiodo, Howell, Dieleman and Groth, a bill for an act relating to the informal probate of estates.

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

House File 147, by Jochum, a bill for an act relating to new or changed rates, charges, schedules or regulations for utility service.

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

House File 148, by Daggett, Hinkhouse, Pellett and Cochran, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties.

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

House File 149, by Schnekloth, a bill for an act relating to the authority of the board of supervisors to require the assessor to send a listing of the assessed property to the property owners.

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

House File 150, by Pavich and Walter, a bill for an act relating to tuition rates set by the state board of regents.

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

House File 151, by Doyle, a bill for an act relating to state government, and correcting certain obsolete, erroneous and inconsistent sections of the Code relating to the general assembly; providing for the filling of vacancies in the general assembly between sessions; clarifying the provisions of the Code relating to the compensation of members of the general assembly without changing the actual compensation to be received; equalizing the compensation of the lieutenant governor and speaker in certain cases; clarifying the standing unlimited appropriation for the general assembly; modifying the power of contempt by the legislature; providing that all public bills will take effect on January first unless provided to the contrary in the bill; clarifying and

modifying provisions of the Code relating to legislative records and publications; permitting the adoption of permanent rules and employee pay plans; and placing certain provisions of the Code relating to the general assembly in chapter two (2) of the Code.

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

House File 152, by Hansen of O'Brien, a bill for an act relating to school funding providing for an adjusted enrollment, recomputation of the state cost per pupil, and authority to modify allowable growth by the school budget review committee..

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

HOUSE RESOLUTION 6

By Shull

1 *Whereas*, Dave Keller of Indianola, Iowa,
 2 who is a Senior on the Simpson College basket-
 3 ball team, has surpassed the career total of 1,692
 4 points, and
 5 *Whereas*, this fete sets a new all time record
 6 for Simpson College, *Now Therefore*
 7 *Be It Resolved By The House Of Represent-*
 8 *atives*, that the Sixty-eighth General Assembly,
 9 1979 session, extends its heartiest congratula-
 10 tions to Dave Keller, his coaches, his wife and
 11 his parents and his loyal fans who encouraged
 12 and supported Dave throughout his career, and
 13 *Be It Further Resolved*, that the members of
 14 the Sixty-eighth General Assembly commend Dave
 15 Keller for his splendid example of sportsmanship,
 16 fair play and athletic prowess which took him
 17 to the highest place of his basketball career,
 18 and
 19 *Be It Further Resolved*, that a copy of this
 20 resolution be sent to Dave Keller and to the
 21 Simpson College basketball team and the coaches.

Laid over under Rule 30.

REREFERRED TO COMMITTEE ON
JUDICIARY AND LAW ENFORCEMENT
(House File 49)

Speaker Millen announced that House File 49, previously referred to the committee on **state government**, was rereferred to the committee on **judiciary and law enforcement**.

On motion by Halvorson of Clayton the House was recessed until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITOR

Cochran of Webster presented to the House the Honorable Don Spencer, former member of the House from Clay County.

INTRODUCTION OF BILL

House File 153, by committee on judiciary and law enforcement, a bill for an act making a technical correction to the chapter on termination of parental rights.

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

RULES SUSPENDED

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on House File 81 for the immediate consideration of House File 139.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 139, a bill for an act relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the Act retroactive, was taken up for consideration.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Rapp of Black Hawk offered the following amendment H—3172 filed by him from the floor:

H—3172

1 Amend House File 139 as follows:

2 1. Page 1, by inserting after line 23 the following
3 new sections:

4 "Sec. 4. Section four hundred twenty-two point
5 four (422.4), Code 1979, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION:

8 a. "Annual inflation factor" means an index,
9 expressed as a percentage, determined by the general
10 assembly on or before May first of each year to reflect
11 the purchasing power of the dollar as a result of
12 inflation or deflation during the preceding calendar
13 year. In determining the annual inflation factor,
14 the general assembly shall use the best statistics
15 available for the preceding calendar year and the
16 statistics shall include, but not be limited to, the
17 monthly national and Des Moines area consumer price
18 indexes if available produced by the bureau of labor
19 statistics of the United States department of labor
20 and the commodity indexes published in "The Wall
21 Street Journal" by Dow Jones and Company.

22 b. "Adjusted inflation factor" means the product
23 of the annual inflation factor for the 1979 calendar
24 year and all annual inflation factors for subsequent
25 calendar years as determined pursuant to this
26 subsection. The adjusted inflation factor shall apply
27 to all tax years beginning on or after January first
28 of the calendar year in which the latest annual
29 inflation factor has been determined.

30 c. The annual inflation factor for the 1979
31 calendar year is one hundred six percent.

32 d. If the general assembly fails to determine
33 the annual inflation factor on or before May first
34 of a calendar year as set forth in paragraph a of
35 this subsection, the annual inflation factor shall
36 be one hundred six percent for that calendar year.

37 Sec. 5. Section four hundred twenty-two point
38 five (422.5), Code 1979, is amended by adding the
39 following new unnumbered paragraph:

40 NEW UNNUMBERED PARAGRAPH. Upon determination of
41 the latest adjusted inflation factor, the director
42 shall multiply each dollar amount, including those
43 expressed in the tax brackets, set forth in this

44 section by that adjusted inflation factor and shall
45 round off the resulting product to the nearest one
46 dollar.

47 Sec. 6. Section four hundred twenty-two point
48 nine (422.9), subsection one (1), Code 1979, is amended
49 to read as follows:

50 1. An optional standard deduction of ten percent

Page 2

1 of the net income after deduction of federal income
2 tax, not to exceed five hundred dollars multiplied
3 by the adjusted inflation factor for a married person
4 who files separately, or one thousand dollars
5 multiplied by the adjusted inflation factor for a
6 single person or a husband and wife who file a joint
7 return.

8 Sec. 7. Section four hundred twenty-two point
9 thirteen (422.13), subsections one (1) and two (2),
10 Code 1979, are amended to read as follows:

11 1. Every resident of Iowa who is required to file
12 a federal income tax return under the Internal Revenue
13 Code of 1954, or who has a net income of two thousand
14 dollars multiplied by the adjusted inflation factor
15 or more for the tax year from sources taxable under
16 this division, shall make and sign a return.

17 2. Every nonresident who is required to file a
18 federal income tax return under the Internal Revenue
19 Code of 1954 and who has a net income of two thousand
20 dollars multiplied by the adjusted inflation factor
21 or more for the tax year from sources taxable under
22 this division, shall make and sign a return.

23 Sec. 8. Section four hundred twenty-two point
24 fourteen (422.14), subsection one (1), Code 1979,
25 is amended to read as follows:

26 1. Every fiduciary subject to taxation under the
27 provisions of this division, as provided in section
28 422.6, shall make and sign a return for the individual,
29 estate or trust for whom or for which he or she acts,
30 if the taxable income thereof amounts to six hundred
31 dollars multiplied by the adjusted inflation factor
32 or more. A nonresident fiduciary shall file a copy
33 of the federal income tax return for the current tax
34 year with the return required by this section.

35 Sec. 9. Section four hundred twenty-two point
36 twenty-one (422.21), Code 1979, is amended by adding
37 the following new unnumbered paragraph:

38 NEW UNNUMBERED PARAGRAPH. The director shall
39 compute the new dollar amounts as required in sections
40 four hundred twenty-two point five (422.5), four
41 hundred twenty-two point nine (422.9), four hundred

42 twenty-two point thirteen (422.13) and four hundred
 43 twenty-two point fourteen (422.14) of the Code by
 44 multiplying the dollar amounts specified therein to
 45 be adjusted by the adjusted inflation factor, rounding
 46 off the result to the nearest one dollar, and
 47 incorporating the result into the income tax forms
 48 and instructions for each taxable year.
 49 Sec. 10. The provisions of sections four (4)
 50 through nine (9) of this Act are retroactive to January

Page 3 .

1 1, 1979, for tax years beginning on or after January
 2 1, 1979."
 3 2. Page 1, by striking line 24 and inserting in
 4 lieu thereof the following:
 5 "Sec. 11. The provisions of sections one (1)
 6 through three (3) of this Act are retroactive to".
 7 3. Page 1, line 28, by striking the figure "(5)"
 8 and inserting in lieu thereof the figure "12".
 9 4. Amend the title, line 3, by inserting after
 10 the word "code" the words ", indexing the individual
 11 income tax".

West of Marshall rose on a point of order that amendment H-3172 was not germane.

The Speaker ruled the point well taken and amendment H-3172 not germane.

Rapp of Black Hawk moved that the rules governing germaneness be suspended for the consideration of amendment H-3172.

Roll call was requested by Rapp of Black Hawk and Jesse of Polk.

Rule 80 was invoked.

On the question "Shall the rules be suspended?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn

Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Miller	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzart
Spear	Walter	Wells	Welsh
Woods			

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimaneck	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 4:

Byerly	Doyle	Norland	Smalley
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The motion lost.

Diemer 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. 139)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.

Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Byerly	Danker	Davitt	Doyle
Egenes	Larsen	Lura	Smalley

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

IMMEDIATE MESSAGE

(House File 139)

West of Marshall asked and received unanimous consent to immediately message House File 139 to the Senate.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

On motion by Halvorson of Clayton, the House was recessed until 4:30 p.m.

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chiodo of Polk for the remainder of the day on request of Woods 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 on January 24, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 23, a bill for an act regarding the frequency of salary and expenses payments to members, officers, and employees of the general assembly.

FRANK J. STORK, Secretary

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

West of Marshall offered the following amendment H-3149 filed by West, et al., and moved its adoption:

H-3149

- 1 Amend House File 81 as follows:
- 2 1. Page 5, line 14, by inserting after the word
- 3 "property" the words "or which have, in the case of
- 4 land upon which is located more than one building and
- 5 not assessed as residential property, increased the
- 6 actual value of the buildings to which the improvements
- 7 have been made by at least fifteen percent".

Amendment H-3149 was adopted.

Conlon of Muscatine offered amendment H-3124 filed by him and requested division as follows:

H-3124

- 1 Amend House File 81 as follows:

H-3124A

- 2 1. Page 5, line 18, by inserting after the word
- 3 "designated" the following: " "Qualified real estate"
- 4 does not include real estate located in an urban
- 5 renewal area designated as such under chapter four
- 6 hundred three (403) of the Code after the effective
- 7 date of this Act and designated as such within five
- 8 years prior to the adoption of the plan for the

9 revitalization area.”
10 2. Page 8, by inserting after line 5 the following
11 sections:

H—3124B

12 “Sec. 8. NEW SECTION. A city may issue revenue
13 bonds for projects located within an urban
14 revitalization area. The revenue bonds shall be
15 issued pursuant to the provisions of chapter four
16 hundred nineteen (419) of the Code and all provisions
17 of chapter four hundred nineteen (419) of the Code,
18 to the extent consistent with the provisions of
19 sections one (1) through eight (8) of this Act, shall
20 apply, except that the term “project” as defined in
21 section four hundred nineteen point one (419.1) of
22 the Code includes land, buildings, or improvements
23 which are suitable for use as residential property
24 or for the use of a commercial enterprise or nonprofit
25 organization which the governing body finds is
26 consistent with the urban revitalization plan.
27 The power to issue revenue bonds pursuant to this
28 section is in addition to other powers granted a city
29 to aid urban revitalization areas.

H—3124A

30 Sec. 9. Section four hundred three point seven
31 (403.7, Code 1979, is amended by adding the following
32 new unnumbered paragraph:
33 NEW UNNUMBERED PARAGRAPH. Upon the adoption of
34 a plan of revitalization pursuant to sections one
35 (1) through eight (8) of this Act, the municipality
36 shall not exercise the power of condemnation under
37 this chapter to acquire any property located within
38 that revitalization area for five years after the
39 adoption of the plan of revitalization.”

H—3124B

40 3. Page 8, by striking lines 15 through page 9,
41 line 8.
42 4. Amend the title, line 4, by striking the words
43 “and urban renewal”.

Gonlon of Muscatine asked and received unanimous consent to withdraw amendment H—3124B.

Gonlon of Muscatine moved the adoption of amendment H—3124A.

Roll call was requested by Cusack of Scott and Jesse of Polk.

On the question "Shall amendment H—3124A be adopted?"

The ayes were, 34:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Byerly	Cochran	Conlon
Connolly	Connors	Cusack	Dieleman
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochumi	Lloyd-Jones	Lonergan
O'Kane	Oxley	Pavich	Pelton
Perkins	Spear	Tyrrell	Wells
Welsh	Woods		

The nays were, 56:

Anderson, J.	Bennett	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Diemer	Egenes	Hall
Halvorson, R.A.	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	Pellett	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 10:

Binneboese	Chiodo	Doyle	Evans
Gettings	Groth	Hanson, D.	Patchett
Smalley	Walter		

Amendment H—3124A lost.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3125 (to page 5), filed by him and Hanson of Delaware on January 19, 1979.

Hall of Linn offered the following amendment H—3132 filed by him:

H—3132

1 Amend House File 81 as follows:
2 1. Page 5, line 21, by inserting after the
3 word "structures." the words "However, if such
4 construction, rehabilitation or additions were
5 begun prior to the time the area was so desig-
6 nated, the value added by such construction,
7 rehabilitation or additions during the time the
8 area was so designated shall not constitute an
9 increase in value for purposes of qualifying for
10 the exemptions listed in this section."

Hall of Linn asked and received unanimous consent to defer action on amendment H—3132.

Perkins of Greene asked and received unanimous consent to defer action on amendment H—3164 (to page 5).

Woods of Polk offered the following amendment H—3135 filed by Pavich of Pottawattamie:

H—3135

1 Amend House File 81 as follows:
2 1. Page 5, by inserting after line 23 the
3 following new section:
4 "Sec. . NEW SECTION.
5 Notwithstanding the provisions of this Act
6 pertaining to improvements made within urban
7 revitalization areas, any additions to residential
8 property, regardless of whether that property is
9 located within an urban revitalization area, shall
10 receive a one hundred (100) percent exemption
11 from property taxes for a period not to exceed
12 three (3) years."

West of Marshall rose on a point of order that amendment H—3135 was not germane.

The Speaker ruled the point well taken and amendment H—3135 not germane.

Woods of Polk moved that the rules governing germaneness be suspended for the consideration of amendment H—3135.

Roll call was requested by Byerly of Polk and Horn of Linn.

On the question "Shall the rules be suspended to consider amendment H—3135?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Spear	Wells	Welsh
Woods			

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 10:

Binneboese	Chiodo	Doyle	Gettings
Groth	Hanson, D.	Patchett	Smalley
Stromer	Walter		

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Walter of Pottawattamie for the remainder of the day on request of Pavich of Pottawattamie.

Norland of Worth offered the following amendment H-3143 filed by him and moved its adoption:

H-3143

- 1 Amend House File 81 as follows:
- 2 1. Page 6, line 10, by inserting after the word
- 3 "estimated" the words "or actual".

Amendment H-3143 was adopted.

Pavich of Pottawattamie offered the following amendment H-3133 filed by him and moved its adoption:

H-3133

- 1 Amend House File 81 as follows:
- 2 1. Page 6, line 30, by striking the word
- 3 "qualified".
- 4 2. Page 6, line 30, by inserting after the
- 5 word "estate" the words ", excluding land,".

Amendment H-3133 lost.

(House File 81 pending at adjournment.)

HOUSE CONCURRENT RESOLUTION 7
By Halvorson of Clayton and Avenson

- 1 *Whereas*, the Sixty-eighth General Assembly is advised
- 2 of a meeting of the Pioneer Lawmakers Association to be
- 3 held in the Historical Building on Thursday, April 5,
- 4 1979, and request the opportunity to formally meet with
- 5 the General Assembly, *Now Therefore*,
- 6 *Be it Resolved by the House, the Senate Concurring*,
- 7 That the General Assembly meet in joint session in the
- 8 House chamber on Thursday, April 5, 1979 at 1:30 p.m.
- 9 and that the Pioneer Lawmakers be invited to attend and
- 10 present a program on that occasion.

Laid over under Rule 30.

APPOINTMENT TO
JOINT LEGISLATIVE INTERN COMMITTEE

Representative Roger Halvorson, House Majority Leader, announced the appointment of Representative Andy McKean of Jones County to the Joint Legislative Intern Committee.

REPORT OF HOUSE ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, your committee on administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Leader's Administrative Assistant	Mark W. Brandsgard	26-3 to 26-4	P-FT	1/19/79
Clerk/Ma- jority Leader	D. Joanne Brownell	15-8 to 15-9	I-FT	1/19/79
Doorkeeper	Carman Breeding	9-1 to 9-2	I-FT	1/19/79
Doorkeeper	Thomas W. Marmion	9-1 to 9-2	I-FT	1/19/79
House Clerk	Madeline C. Allen	15-2 to 15-3	I-FT	7/06/79
House Clerk	Julie A. Anderson	15-7 to 15-8	I-FT	7/06/79
House Clerk	Laurine A. Anderson	13-2 to 13-3	I-FT	7/06/79
House Clerk	Christina J. Arlen	13-1 to 13-2	I-FT	7/06/79
House Clerk	Norma L. Bakros	15-3 to 15-4	I-FT	2/16/79
House Clerk	Diane E. Beckman	13-2 to 13-3	I-FT	7/06/79
House Clerk	Dorothy J. Breeding	15-2 to 15-3	I-FT	2/16/79
House Clerk	Florence D. Buhr	13-3 to 13-4	I-FT	6/08/79
House Clerk	Pamela M. Byerly	13-3 to 13-4	I-FT	4/13/79
House Clerk	Mary Clay	15-3 to 15-4	I-FT	6/08/79
House Clerk	R. Jeannene Cochran	13-6 to 13-7	I-FT	4/13/79
House Clerk	Deloris A. Cox	15-3 to 15-4	I-FT	3/02/79
House Clerk	Carol J. Crowfoot	15-6 to 15-7	I-FT	6/22/79
House Clerk	Ruth A. Daggett	15-5 to 15-6	I-FT	3/30/79
House Clerk	Clarretta J. De Groot	13-2 to 13-3	I-FT	7/06/79
House Clerk	Mary K. Devin	15-3 to	I-FT	3/30/79

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
House Clerk	Andrea J. Doggett	13-3 to 13-4	I-FT	7/06/79
House Clerk	Timothy C. Dunbar	13-2 to 13-3	I-FT	7/06/79
House Clerk	E. Gail Eubank	13-1 to 13-2	I-FT	7/06/79
House Clerk	Nancy J. Farris	13-2 to 13-3	I-FT	7/06/79
House Clerk	M. Rosalie Flesher	15-5 to 15-6	I-FT	2/16/79
House Clerk	Joyce A. Gardner	13-1 to 13-2	I-FT	7/06/79
House Clerk	Beverley J. Gettings	13-1 to 13-2	I-FT	2/16/79
House Clerk	Vivian L. Haag	15-7 to 15-8	I-FT	3/16/79
House Clerk	Judith L. Hall	13-1 to 13-2	I-FT	7/06/79
House Clerk	Joan M. Hansen	13-1 to 13-2	I-FT	7/06/79
House Clerk	Barbara J. Harrison	15-4 to 15-5	I-FT	5/25/79
House Clerk	Holly S. Higgins	13-2 to 13-3	I-FT	3/02/79
House Clerk	Judith L. Hooker	13-4 to 13-5	I-FT	7/06/79
House Clerk	Donna B. Hove	15-2 to 15-3	I-FT	7/06/79
House Clerk	Jeanette L. Hughes	13-1 to 13-2	I-FT	2/16/79
House Clerk	Jodi E. Julich	13-1 to 13-2	I-FT	7/06/79
House Clerk	Theresa L. Kehoe	13-1 to 13-2	I-FT	7/06/79
House Clerk	Katherine W. Kelly	13-6 to 13-7	I-FT	2/16/79
House Clerk	Patricia A. King	15-3 to 15-4	I-FT	2/16/79
House Clerk	Mary Kay LaBonia	13-3 to 13-4	I-FT	3/30/79
House Clerk	Janis P. Landess	15-4 to 15-5	I-FT	5/25/79
House Clerk	Gay P. Leverich	13-3 to 13-4	I-FT	6/08/79
House Clerk	Barbara J. Lind	13-2 to 13-3	I-FT	2/16/79
House Clerk	Carolyn R. Littrell	15-5 to 15-6	I-FT	2/16/79

Position	Name	Grade and Step	Class of Appoint- ment	Eff. Date
House Clerk	Dona K. Lloyd	15-5 to 15-6	I-FT	2/02/79
House Clerk	Dixie L. Mather	13-1 to 13-2	I-FT	7/06/79
House Clerk	Carol A. McGinnis	13-2 to 13-3	I-FT	7/06/79
House Clerk	Nanci A. Memmelaar	15-7 to 15-8	I-FT	4/27/79
House Clerk	Betty C. Millen	13-5 to 13-6	I-FT	6/08/79
House Clerk	Sheryl B. Millen	13-2 to 13-3	I-FT	2/16/79
House Clerk	Meredith H. Myers	13-1 to 13-2	I-FT	3/30/79
House Clerk	Anita M. O'Gara	13-1 13-2	I-FT	2/02/79
House Clerk	Mary A. Rhoads	13-1 to 13-2	I-FT	7/06/79
House Clerk	Nancy B. Rogers	13-2 to 13-3	I-FT	7/06/79
House Clerk	Rebecca A. Roorda	13-1 to 13-2	I-FT	2/16/79
House Clerk	LaVena M. Rucker	15-5 to 15-6	I-FT	5/25/79
House Clerk	Mildred L. Schneklath	13-2 to 13-3	I-FT	7/06/79
House Clerk	Julie T. Simon	13-3 to 13-4	I-FT	3/16/79
House Clerk	Patsy M. Soliday	15-4 to 15-5	I-FT	3/30/79
House Clerk	Mildred E. Stewart	15-7 to 15-8	I-FT	2/02/79
House Clerk	Ruth Strait	15-2 to 15-3	I-FT	2/16/79
House Clerk	Harriet J. Stromer	13-6 to 13-7	I-FT	4/13/79
House Clerk	Marjorie B. Thompson	13-2 to 13-3	I-FT	7/06/79
House Clerk	C. Verneice Thomsen	15-6 to 15-7	I-FT	5/11/79
House Clerk	Luella R. Van Maanen	13-1 to 13-2	I-FT	7/06/79
House Clerk	Linda D. Wall	15-2 to 15-3	I-FT	5/11/79
House Clerk	Marcia K. Walter	15-2 to 15-3	I-FT	2/16/79

Position	Name	Grade and Step	Class of Appointment	Eff. Date
House Clerk	Eva D. Wehrman	13-2 to 13-3	I-FT	7/06/79
House Clerk	Jo Ann West	13-3 to 13-4	I-FT	2/16/79
House Clerk	Margaret A. White	15-3 to 15-4	I-FT	7/06/79
House Clerk	Mary Kay Whitfield	13-4 to 13-5	I-FT	3/16/79
House Clerk	Mary M. Whitmore	15-2 to 15-3	I-FT	1/19/79
Administrative Assistant II	Nancy J. Robertson	15-1 to 15-2	I-FT	3/02/79
Administrative Assistant II	Dragutin S. Stamenkovich	15-1 to 15-2	I-FT	7/06/79

DAGGETT of Taylor, Chair

COMMUNICATION FROM THE NATURAL RESOURCES COUNCIL

There is on file in the office of the Chief Clerk a copy of a report to Governor Robert D. Ray from the Iowa Natural Resources Council titled "Water Plan 78", pursuant to Chapter 455A.13, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 66 Education

Relating to the salary of the administrator of an area education agency.

S.B. 67 Education

Requiring persons applying for the first time for a school bus driver's permit to complete the Iowa school bus driver training course.

S.B. 68 Education

Relating to local advisory committees for vocational education.

S.B. 69 Education

Relating to authorization for teaching.

S.B. 70 Education

Relating to the medium of instruction in public and nonpublic schools.

S.B. 71 Education

Relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

S.B. 72 Transportation

Requiring the use of seat belts by school bus drivers and providing penalties.

S.B. 73 Ways and Means

Authorizing the department of revenue to credit tax refunds against the tax liability of a taxpayer.

S.B. 74 Ways and Means

Relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored.

S.B. 75 Ways and Means

Repealing the requirement that assessors file an annual agricultural land valuation report with the department of revenue.

S.B. 76 Ways and Means

Relating to the tax on the services of parking and of test laboratories.

S.B. 77 Ways and Means

Allowing the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law.

S.B. 78 Ways and Means

Relating to the filing and extension of tax liens and making the provisions of the Act retroactive.

**SPONSOR ADDED
(House File 107)**

Cusack of Scott requested to be added as a sponsor of House File 107.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 4**

Ways and Means: West, Chair; Pope and Norland.

House Joint Resolution 6

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House Joint Resolution 7

State Government: Shimanek, Chair; Lloyd-Jones and Anderson of Audubon.

House File 1

Ways and Means: Harbor, Chair; Evans and Anderson of Jasper.

House File 3

County Government: Clark of Cerro Gordo, Chair; Connolly and Branstad.

House File 11

Natural Resources: Tyrrell, Chair; O'Kane and Johnson of Howard.

House File 15

Ways and Means: Harbor, Chair; West and Norland.

House File 20

Ways and Means: Schnekloth, Chair; Evans and Howell.

House File 21

Ways and Means: Harbor, Chair; Clark of Lee and Norland.

House File 22

Natural Resources: Pellett, Chair; Menke and Cochran.

House File 24

Judiciary and Law Enforcement: Conlon, Chair; Holt and Welsh.

House File 25

Agriculture: Crabb, Chair; Mullins and Byerly.

House File 26

Human Resources: Lind, Chair; Husak and Arnould.

House File 28

County Government: Lageschulte, Chair; Gettings and Schnekloth.

House File 34

Cities: Diemer, Chair; Danker and Spear.

House File 35

Ways and Means: Hanson of Delaware, Chair; Evans and Howell.

House File 38

State Government: Hansen of O'Brien, Chair; Swearingen and Lloyd-Jones.

House File 50

State Government: Stromer, Chair; Johnson of Woodbury and Hinkhouse.

House File 53

Judiciary and Law Enforcement: Rapp, Chair; Pelton and Hibbs.

House File 61

Judiciary and Law Enforcement: Maulsby, Chair; Doyle and Corey.

House File 64

Judiciary and Law Enforcement: Corey, Chair; Ritsema and Arnould.

House File 66

Judiciary and Law Enforcement: Smalley, Chair; Jesse and Hibbs.

House File 68

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 69

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 70

Commerce: Johnson of Linn, Chair; Jochum and Swearingen.

House File 71

Cities: Hanson of Delaware, Chair; Tyrrell and Groth.

House File 73

Judiciary and Law Enforcement: Pelton, Chair; Anderson of Audubon and Walter.

House File 75

Judiciary and Law Enforcement: Ritsema, Chair; Clark of Cerro Gordo and Rapp.

House File 78

State Government: Crawford, Chair; Hibbs and Brandt.

House File 79

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 82

County Government: Schnekloth, Chair; Hullinger and Lageschulte.

House File 83

County Government: Hanson of Delaware, Chair; Howell and Tofte.

House File 86

Commerce: Crabb, Chair; Egenes and Woods.

House File 87

County Government: Smalley, Chair; Doyle and Danker.

House File 88

Agriculture: Harbor, Chair; Halvorson of Webster and Tyrrell.

House File 89

Judiciary and Law Enforcement: Shimanek, Chair; Pelton, Walter, Patchett and Anderson of Audubon.

House File 90

State Government: Stromer, Chair; Brandt and Anderson of Audubon.

House File 91

Judiciary and Law Enforcement: Lonergan, Chair; Johnson of Howard, Lloyd-Jones, Ritsema and Conlon.

House File 92

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 94

Judiciary and Law Enforcement: Pelton, Chair; Holt and Patchett.

House File 95

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 102

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House File 103

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 109

State Government: Hibbs, Chair; Brandt and Hansen of O'Brien.

House File 111

State Government: Crawford, Chair; Stromer and Walter.

House File 113

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

House File 114

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 116

Education: Stromer, Chair; Thompson, Horn, Crawford, Larsen, Menke, Diemer, Norland, Patchett, Groth and Jay.

House File 117

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 118

State Government: Hoffmann, Chair; Branstad and Arnould.

House File 126

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 128

Education: Stromer, Chair; Thompson, Horn, Crawford, Larsen, Menke, Diemer, Norland, Patchett, Groth and Jay.

House File 130

Human Resources: Cusack, Chair; Hoffmann, Bennett, Kirkenlager and Miller.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 33**

Ways and Means: Evans, Chair; Daggett and Brandt.

Study Bill 34

Ways and Means: Lura, Chair; Branstad and Husak.

Study Bill 35

Ways and Means: Evans, Chair; Daggett and Brandt.

Study Bill 36

Ways and Means: Pope, Chair; Hanson of Delaware and Hall.

Study Bill 46

Ways and Means: Pope, Chair; Hanson of Delaware and Connolly.

Study Bill 47

Ways and Means: Schnekloth, Chair; Thompson and Chiodo.

Study Bill 49

Judiciary and Law Enforcement: Shimanek, Chair; Anderson of Audubon, Patchett, Pelton and Walter.

Study Bill 50

Judiciary and Law Enforcement: Shimanek, Chair; Anderson of Audubon, Patchett, Pelton and Walter.

Study Bill 51

Judiciary and Law Enforcement: Doyle, Chair; Clark of Cerro Gordo and Conlon.

Study Bill 52

Judiciary and Law Enforcement: Ritsema, Chair; Clark of Cerro Gordo and Lloyd-Jones.

Study Bill 53

Transportation: Kirkenslager, Chair; Tofte and Davitt.

Study Bill 54

Transportation: McKean, Chair; Bennett and Oxley.

Study Bill 55

Transportation: McKean, Chair; Bennett and Oxley.

Study Bill 56

Transportation: Menke, Chair; Kirkenslager and Binneboese.

Study Bill 61

County Government: Smalley, Chair; Gettings and Clark of Lee.

Study Bill 62

Energy: Poffenberger, Chair; Van Maanen, O'Kane, Pellett and Perkins.

Study Bill 63

Commerce: Evans, Chair; Pope and Woods.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COUNTY GOVERNMENT

House File 43, a bill for an act to require the review and approval of county contracts by the county attorney.

Recommended **Do Pass**.

Fiscal note is not required.

AMENDMENTS FILED

H-3173	H.F. 81	Miller of Buchanan
H-3174	H.F. 81	Perkins of Greene
H-3175	H.F. 43	Connolly of Dubuque
H-3176	H.F. 81	Jochum of Dubuque
H-3177	H.F. 81	Arnould of Scott
		Bruner of Story

On motion by Halvorson of Clayton the House adjourned at 5:43 p.m., until 10:00 a.m., Monday, January 29, 1979.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day—Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 29, 1979

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

Prayer was offered by the Honorable Wm. W. "Bill" Dieleman, State Representative from Marion County.

The Journal of Thursday, January 25, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Loren Parker, Broadlawns Polk County Hospital, Des Moines, Iowa.

PRESENTATION OF VISITORS

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

Nineteen senior government students from Wellsburg Junior-Senior High School, Wellsburg, Iowa, accompanied by Arlen Foster. By Evans of Grundy.

PETITION FILED

The following petition was received and placed on file:

By Jochum of Dubuque from one thousand six hundred constituents of District 19 favoring share drafts for Iowa credit unions.

INTRODUCTION OF BILLS

House File 154, by Swearingen, a bill for an act to provide income tax credits for permanent soil and water conservation projects.

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

House File 155, by Thompson, Perkins, Davitt, Pavich, Anderson of Audubon and Shull, a bill for an act relating to the treatment of free newspapers and shoppers guides under the state sales tax.

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

House File 156, by Pellett, a bill for an act relating to special deer hunting licenses.

Read first time and referred to committee on **natural resources**.

House File 157, by Shimanek, a bill for an act relating to the accommodation offense.

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

House File 158, by Evans, a bill for an act to restrict use by the commission for the blind of requiring blind persons to receive instruction at a training, orientation and adjustment center as a condition for assistance.

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

House File 159, by Davitt, Howell and Byerly, a bill for an act relating to the adoption of foreign born persons.

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

House File 160, by Thompson, a bill for an act to require the development of programs for autistic children.

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

House File 161, by Daggett, Danker, Lageschulte, Crabb, Pellett, Van Maanen, Hummel, Johnson of Howard, Maulsby, Schneklath, Corey, Johnson of Woodbury, Anderson of Audubon, Branstad, Tofte, Holt, Tyrrell, Hanson of Delaware, McKean, Swearingen, Hoffmann, Kirkenlager, Menke, De Groot, Stromer, Bennett, Harbor, Hullinger, Cochran, Mullins, Davitt, Perkins,

Hansen of O'Brien, Oxley and Jay, a bill for an act increasing the individual exemptions allowed under section four hundred fifty point nine (450.9) of the Code for a surviving spouse, son, daughter, father, mother and other lineal descendant in computing the state inheritance tax.

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

House File 162, by Howell, a bill for an act relating to the topsoil replacement of borrow pits.

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

House File 163, by Walter, Patchett, Pavich, Gettings, Woods, Bina, Jochum, Dieleman, Wells, Spear, Binneboese, Connors and Connolly, a bill for an act exempting the sales of fuels used for residential purposes from the sales, services and use taxes.

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

House File 164, by Smalley, a bill for an act to provide that tort claims against the state may be tried before a jury, and to provide that in cases where the act or omission complained of occurred outside of Iowa and the plaintiff is not a resident of Iowa, costs may be assessed against the state regardless of which party prevails.

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

House File 165, by Hansen of O'Brien, a bill for an act relating to the determination of mailing fees for motor vehicle registration.

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

House File 166, by Shimanek, a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation.

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

House File 167, by committee on judiciary and law enforcement, a bill for an act to establish fees for private process servers.

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

House File 168, by committee on agriculture, a bill for an act relating to the rate of the fee upon turkeys delivered for processing.

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

House File 169, by Hansen of O'Brien, a bill for an act authorizing merged areas to acquire and operate student residence halls, dormitories, and student centers including dining and parking facilities, and to finance the cost with revenue bonds.

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

House File 170, by Brandt, Krewson, Clark of Cerro Gordo, Jesse, Cusack, Lloyd-Jones and Bruner, a bill for an act protecting family or household members from domestic abuse and providing a penalty.

Read first time and referred to committee on **human resources.**

QUORUM CALL

Roll call was requested by West of Marshall and Thompson of Polk to determine that a quorum was present.

Present: 80

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Branstad	Bruner	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pellett
Perkins	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen

Thompson
Wells

Tofte
Welsh

Tyrrell
West

Van Maanen
Mr. Speaker

Absent: 20

Avenson
Chiodo
Egenes
Lonergan
Stromer

Binneboese
Crawford
Jay
Pavich
Walter

Brandt
Cusack
Jesse
Pelton
Welden

Byerly
Doyle
Lageschulte
Rapp
Woods

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

Bruner of Story asked and received unanimous consent to withdraw amendment H—3137 (to page 7) filed by him and Bina of Scott on January 19, 1979, placing out of order the following amendments to amendment H—3137:

Amendment H—3140 filed by Spear of Lee on January 22, 1979.

Amendment H—3159 filed by Miller of Buchanan on January 23, 1979.

Perkins of Greene offered the following amendment H—3164 filed by him:

H—3164

- 1 Amend House File 81 as follows:
- 2 1. Page 5, line 21, by inserting after the word
- 3 "structures." the words "However, new construction on
- 4 vacant land assessed as agricultural property shall not
- 5 qualify as "improvements" for purposes of this Act."

Perkins of Greene offered the following amendment H—3174, to amendment H—3164, filed by him and moved its adoption:

H—3174

- 1 Amend H—3164 to page 5 of House File 81 as

2 follows:

3 1. Line 4, by striking the word "vacant".

Amendment H—3174 was adopted.

Perkins of Greene moved the adoption of amendment H—3164, as amended.

Roll call was requested by Perkins of Greene and Lloyd-Jones of Johnson.

On the question "Shall amendment H—3164, as amended, be adopted?"

The ayes were, 55:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Chiodo	Cochran
Connolly	Connors	Corey	Cusack
Davitt	Dieleman	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hinkhouse	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Lura	Maulsby
McKean	Miller	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Rapp	Sherzahn
Shimanek	Spear	Tofte	Walter
Wells	Welsh	West	

The nays were, 38:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Halvorson, R.A.	Hansen, I.	Hibbs	Hoffmann
Holt	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lind	Lorenzo
Menke	Mullins	Pope	Ritsema
Schnekloth	Schroeder	Shull	Smalley
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 7:

Binneboese	Byerly	Egenes	Harbor
Patchett	Stromer	Woods	

Amendment H—3164, as amended, was adopted.

Perkins of Greene offered the following amendment H—3119 filed by him and moved its adoption:

H—3119

- 1 Amend House File 81 as follows:
- 2 1. Page 8, line 1, by striking the words "and
- 3 agricultural".
- 4 2. Page 8, line 3, by striking the word "are"
- 5 and inserting in lieu thereof the word "is".

Amendment H—3119 was adopted.

West of Marshall offered amendment H—3150 filed by him and Krewson of Polk and requested division as follows:

H—3150

- 1 Amend House File 81 as follows:

H—3150A

- 2 1. Page 8, line 1, by striking the words "and
- 3 agricultural".
- 4 2. Page 8, line 3, by striking the word "are"
- 5 and inserting in lieu thereof the word "is".

H—3150B

- 6 3. Page 8, by inserting after line 5 the following
- 7 paragraph:
- 8 "Agricultural real estate located within an area
- 9 designated as a revitalization area pursuant to section
- 10 one (1) of this Act may be exempt from the additional
- 11 tax imposed by section four hundred forty-five point
- 12 sixty-three (445.63) of the Code at the discretion
- 13 of the governing body of the city. However, before
- 14 the governing body may exempt agricultural real estate
- 15 from the imposition of the additional tax, it must
- 16 have present at the public hearing required to be
- 17 held under section two (2) of this Act evidence of
- 18 the waiver of the imposition of the tax and the
- 19 potential amount of the additional taxes that will
- 20 not be collected."

West of Marshall asked and received unanimous consent to withdraw amendment H—3150A.

West of Marshall moved the adoption of amendment H—3150B.

Amendment H—3150B was adopted.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—3129 (to page 8) filed by him on January 19, 1979.

Bruner of Story asked and received unanimous consent to withdraw amendment H—3136 (to page 8) filed by him and Rapp of Black Hawk on January 19, 1979, placing out of order amendment H—3155 (to amendment H—3136) filed by Spear of Lee on January 23, 1979.

Bruner of Story offered amendment H—3161 filed by Bruner, et al.:

H—3161

- 1 Amend House File 81 as follows:
- 2 1. Page 8, by inserting after line 5 the following
- 3 sections:
- 4 "Sec. 8. NEW SECTION. Upon application to it
- 5 and after verification by it, the city shall provide
- 6 relocation payments to or with respect to any person,
- 7 including a family, business concern and others
- 8 displaced as a result of improvements made in a
- 9 designated revitalization area. The payments shall
- 10 be made for moving expenses and losses of property
- 11 for which reimbursement or compensation has not
- 12 otherwise been provided. The city may require persons
- 13 causing other persons to be displaced to pay the
- 14 relocation payments provided in this section as a
- 15 condition for receiving a tax exemption. The state
- 16 shall reimburse the city in the amount of fifty percent
- 17 of the relocation payments paid by the city after
- 18 receipt by the state treasurer of a certified bill
- 19 stating the amount of relocation payments made by
- 20 the city.
- 21 Sec. 9. NEW SECTION. Upon application to it and
- 22 after verification by it, the city shall provide rent
- 23 supplements for those families who have resided in
- 24 the area now designated as a revitalization area for
- 25 a period of five or more years, whose head of household
- 26 is over sixty years of age, or who have otherwise
- 27 been deemed eligible for additional assistance by
- 28 the city, subject to the following conditions:
- 29 1. the family was forced to relocate because of
- 30 improvements made within the area,
- 31 2. a supplement to previous rental payments is
- 32 necessary in order to house the family in decent,

33 safe, and sanitary housing,
 34 3. the family does not have sufficient means,
 35 as determined by the city, to pay the required rent
 36 for such housing, and
 37 4. a reimbursement or compensation for the family
 38 has not otherwise been provided.
 39 A rent supplement for a person or family shall
 40 not continue for more than five years.
 41 The city may require persons causing families to
 42 be displaced to pay the rent supplements provided
 43 in this section as a condition of receiving a tax
 44 exemption.
 45 The state shall reimburse the city in the amount
 46 of fifty percent of the relocation payments and rent
 47 supplements paid directly by the city and not covered
 48 by other sources of revenue."
 49 2. Page 8, line 13, by striking the word and
 50 figure "seven (7)" and inserting in lieu thereof the

Page 2

1 word and figure "nine (9)".
 2 3. Page 8, line 20, by striking the word and
 3 figure "seven (7)" and inserting in lieu thereof the
 4 word and figure "nine (9)".
 5 4. Page 8, lines 25 and 26, by striking the word
 6 and figure "seven (7)" and inserting in lieu thereof
 7 the word and figure "nine (9)".
 8 5. Page 9, line 4, by striking the word and figure
 9 "seven (7)" and inserting in lieu thereof the word
 10 and figure "nine (9)".

Bruner of Story offered the following amendment H—3178, to amendment H—3161, filed by him from the floor and moved its adoption:

H—3178

1 Amend amendment H—3161, to page 8 of House File
 2 81, as follows:
 3 1. Page 1, line 3, by striking the word "sections"
 4 and inserting in lieu thereof the word "section".
 5 2. Page 1, by inserting after line 20 the
 6 following:
 7 "2. Page 8, by inserting after line 5 the follow-
 8 ing section:".
 9 3. Page 1, by striking line 49 through page 2,
 10 line 10.

Amendment H—3178 was adopted.

Bruner of Story asked and received unanimous consent for the division of amendment H—3161 as follows: Lines 2 through 20 to be amendment H—3161A; lines 21 through 50, page 1 and lines 1 through 10, page 2 to be amendment H—3161B.

(House File 81 and amendment H—3161A, as amended, pending at adjournment.)

MOTIONS TO RECONSIDER (Amendment H—3164 to House File 81)

I move to reconsider the vote by which amendment H—3164, as amended, to House File 81 was adopted by the House on January 29, 1979.

PERKINS of Greene

I move to reconsider the vote by which amendment H—3164, as amended, to House File 81 was adopted by the House on January 29, 1979.

WEST of Marshall

REPORT OF COMMITTEE ON ETHICS

Lind of Black Hawk, Chair, submitted the following report from the Committee on Ethics.

- 1 **HOUSE CODE OF ETHICS**
- 2 Recognizing that members of the General Assembly are
- 3 honorable citizens who are active in the business, religious
- 4 and public service affairs of their community, state, and
- 5 nation, the following rules were adopted pursuant to chapter
- 6 sixty-eight B (68B) of the Code to assist the members in the
- 7 conduct of their legislative affairs.
- 8 1. No member of the House shall accept economic or
- 9 investment opportunity under circumstances where he/she knows,
- 10 or should know, that there is a reasonable possibility that
- 11 the opportunity is being afforded with the intent to influence
- 12 his/her conduct in the performance of official duties.
- 13 2. No member of the House may charge to or accept from
- 14 a person, corporation, partnership, or corporation known to
- 15 have a legislative interest, a price, fee, compensation, or
- 16 other consideration for the sale or lease of any property
- 17 or the furnishing of services which is in excess of that which

18 such member would ordinarily charge another.

19 3. No member of the House, in order to further his/her
20 own economic interests, or those of any other person, may
21 disclose or use confidential information acquired in the course
22 of their official duties.

23 4. A member of the House may appear before a state agency
24 in any representation case. Whenever a member of the House
25 appears before a state agency, the member shall carefully
26 avoid all conduct which might in any way lead members of the
27 general public to conclude that he/she is using his/her
28 official position to further his/her professional success
29 or general interest.

30 5. In order to permit the General Assembly to function
31 effectively, members of the House will, of necessity, be
32 required to vote on bills and participate in committee work
33 which will affect their employment and other areas in which
34 they may have a monetary interest. Action on bills and in
35 committee work which specifically deal with a member's specific

Page 2

1 employment or specific investment, as opposed to a profession,
2 trade, or business in general, should be avoided. In making
3 a decision relating to a member's activity on particular bills
4 or in committee work which are subject to this code, the
5 following factors should be considered:

6 a. Whether a substantial threat to the member's
7 independence of judgment has been created by the conflict
8 situation.

9 b. The effect of the member's participation on public
10 confidence in the integrity of the legislature.

11 c. Whether the member's participation is likely to have
12 any significant effect on the disposition of the matter.

13 d. The need for the member's particular contribution,
14 such as special knowledge of the subject matter, to the
15 effective functioning of the legislature.

16 The member may, however, decide to participate in a manner
17 contrary to the economic interest which creates the conflict
18 situation, but if he/she abstains, he/she should disclose
19 that fact to the legislative body.

20 6. Members of the House are urged to familiarize themselves
21 with chapter sixty-eight B (68B) and chapters seven hundred
22 twenty-one (721) and seven hundred twenty-two (722) and section
23 seven hundred twenty point four (720.4) of the Code.

24 7. Members of the House shall not charge any amount or
25 item to any charge account to be paid for by any lobbyist
26 or any organization they represent.

27 8. Complaints against any member of the House or any
28 lobbyist operating in the House shall be in writing, made
29 under oath and filed with the ethics committee of the House.
30 If the ethics committee determines that the complaint sets

31 out an apparent violation of the law or code of ethics or
 32 rules regulating lobbyists, it shall set the matter for
 33 hearing, notify the accused of the right to appear in person,
 34 to be represented by counsel, to present statements and
 35 evidence and to cross-examine witnesses. The committee shall

Page 3

1 hold a hearing and consider all relevant evidence and shall
 2 make its recommendations to the House.
 3 9. Advisory opinions may be rendered as set out in section
 4 sixty-eight B point ten (68B.10) of the Code upon request
 5 of a member of the General Assembly.

Respectfully submitted

COMMITTEE ON ETHICS
 LIND of Black Hawk, Chair

UNANIMOUS CONSENT CALENDAR
 (House Resolution 6)

We hereby request that House Resolution 6, filed on January 25, 1979 and found on page 350 of the House Journal, be placed on the unanimous consent calendar.

KIRKENSLAGER of Des Moines
 LURA of Marshall
 DIEMER of Black Hawk

EXPLANATIONS OF VOTE

Due to the extraordinary snowstorm and its consequences in Davenport, and weather-related problems with my house, I was unable to travel to Des Moines and thus missed House sessions the week of January 15 through January 19. All of the action that week concerned House Resolution 5 relating to House Rules. Had I been present, I would have voted "aye" on amendments H-3069, H-3066, H-3075, H-3109, H-3070, H-3102, H-3112 to amendment H-3064, H-3103A, H-3103B, H-3101, H-3092, H-3078, H-3062, H-3073, H-3094, H-3095, H-3082 to amendment H-3063, H-3083, H-3088, H-3096, H-3081, H-3071, H-3105, H-3126, H-3065, H-3074, H-3104, H-3110 and "nay" on H-3110 and H-3064. Also, I would have voted "aye" on the Motion to Rerefer and "nay" on Suspension of House Rules, Previous Question and Ruling of Chair, and "nay" on House Resolution 5.

I do wish to strongly protest the unprecedented actions by the majority party in cutting off all debate on Rules which strike at the very heart of the legislative processes and at the ability of elected representatives, especially Democrats, to represent their constituents fully as charged by the Iowa Constitution.

CUSACK of Scott

I was necessarily absent from the House chamber on January 23 and 24, 1979. Had I been voting, I would have voted "aye" on amendments H-3117, H-3130, H-3122D, H-3122F, H-3131, H-3144 and H-3113 to House File 81. I would have voted "nay" on amendments H-3147, H-3146 and H-3145 to House Joint Resolution 5. I would have voted "aye" for House Joint Resolution 5.

RAPP of Black Hawk

COMMUNICATION FROM THE CHIEF JUSTICE OF THE SUPREME COURT

There is on file in the office of the Chief Clerk a report filed January 26, 1979 by the Honorable W. W. Reynoldson, Chief Justice of the Supreme Court of Iowa in the matter of Rules of Civil Procedure, Rules of Criminal Procedure and rules of procedure and forms for the involuntary hospitalization of the mentally ill, pursuant to sections 684.18 (1), 684.19 and 813.4, Code of Iowa, and the 1978 session of the Sixty-seventh General Assembly, Chapter 1085, Section 12.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 79 Judiciary and Law Enforcement

To amend the state tort claims.

S.B. 80 Judiciary and Law Enforcement

Relating to the administration of judicial district departments of correctional services.

S.B. 81 Judiciary and Law Enforcement

Relating to trial by jury in tort claim actions and to the time for filing a tort claim against the state.

S.B. 82 Commerce

Relating to countersignatures on insurance policies.

S.B. 83 Commerce

Repealing chapter three hundred twenty-three (323) of the Code, relating to franchises of distributors and dealers of motor fuels and special fuels.

S.B. 84 Commerce

Relating to the amount of capital and surplus required for insurance companies to transact business in Iowa.

S.B. 85 Commerce

Relating to the prevention and distribution of losses occurring as the result of the financial impairment of certain insurers, and providing penalties.

S.B. 86 County Government

To permit counties to sell property to the state department of transportation to be used for transportation purposes.

S.B. 87 County Government

Relating to the payment of court-appointed attorney fees.

S.B. 88 County Government

Exempting most sales or services by a county or city from the sales, services and use tax.

S.B. 89 Transportation

Relating to the length and weight of vehicles and combinations of vehicles and providing penalties for violations.

S.B. 90 Energy Committee

Relating to hazardous waste management and providing penalties and injunctive relief.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Study Bill 3, relating to infectious and contagious diseases in swine.

Recommended **Do Pass**.

Study Bill 42, to increase the appropriation to the livestock disease research fund.

Recommended **Amend and Do Pass**.

COMMITTEE ON ETHICS

Report of Committee on Ethics, relating to the House Code of Ethics.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3179	H.F. 81	West of Marshall Krewson of Polk Hall of Linn Conlon of Muscatine Johnson of Linn
H-3180	H.F. 43	Connolly of Dubuque

On motion by Halvorson of Clayton the House adjourned at 12:12 p.m., until 9:00 a.m., Tuesday, January 30, 1979.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day—Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 30, 1979

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

Prayer was offered by the Reverend Fred McDaniel, pastor of the Assembly of God Church, New Sharon, Iowa.

The Journal of Monday, January 29, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Steve Richards, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

INTRODUCTION OF BILLS

House File 171, by Krewson, a bill for an act relating to the remitting of interest earned on revenues collected from the hotel and motel tax.

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

House File 172, by West and Perkins, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits.

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

House File 173, by Krewson, a bill for an act relating to the elections required for imposing a hotel and motel tax.

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

House File 174, by Johnson of Woodbury, a bill for an act to increase the membership and voting requirements of the boards of adjustment of cities.

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

House File 175, by Cochran, Hullinger, Harbor, Holt, Menke, Husak, Brandt, Cusack, Bina, Groth, Davitt, Gettings, Wells, Stromer, Halvorson of Webster and Anderson of Jasper, a bill for an act to exempt from the state sales and use tax the gross receipts from the sale of gasohol.

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

House File 176, by Danker, Crabb, Harbor and Schroeder, a bill for an act relating to preaudit authority over the area education agencies and the board of regents.

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

House File 177, by Johnson of Linn, a bill for an act relating to the composition of the general assembly.

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

House File 178, by Johnson of Linn, Woods, Byerly and Horn, a bill for an act relating to the membership of the beer and liquor control council.

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

House File 179, by Spear, Hanson of Delaware, Bina, Bruner, Brandt, Dieleman, Krewson, Lloyd-Jones and Groth, a bill for an act relating to the appointment of the secretary of agriculture.

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

House File 180, by Gettings, a bill for an act relating to the training of a coonhound at night thirty days prior to the hunting season on raccoons.

Read first time and referred to committee on **natural resources**.

House File 181, by Woods, Chiodo, Pavich, Walter, Jochum, Bina, Brandt, Rapp, Sherzan, Wells, Doyle, Horn, Byerly, O'Kane and Welsh, a bill for an act to permit pari-mutuel betting in Iowa by creating a state racing commission and prescribing its powers and duties, by providing for licensing of certain organizations for the purpose of conducting horse or dog races and racing meets, by

imposing taxes and fees and providing for their use and disbursement, and by declaring certain acts to be unlawful and prescribing penalties for their commission.

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

House File 182, by committee on agriculture, a bill for an act relating to infectious and contagious diseases in swine.

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

HOUSE RESOLUTION 7

By Hansen of O'Brien and Menke

1 *Whereas*, the city of Hartley, Iowa is nearing the
 2 centennial anniversary of its founding as a city; and
 3 *Whereas*, the citizens of Hartley, Iowa are preparing
 4 for a centennial celebration August 2, 3, 4, and 5, 1979, to
 5 commemorate the one-hundredth anniversary of the city's
 6 founding; *Now Therefore*,
 7 *Be It Resolved By The House Of Representatives*, That
 8 the membership of the House of Representatives of the Sixty-
 9 eighth General Assembly of the State of Iowa extends its
 10 heartiest congratulations to the city of Hartley, Iowa in
 11 commemoration of the centennial anniversary of its founding
 12 in this year of 1979; and
 13 *Be It Further Resolved*, That a copy of this resolution
 14 be forwarded to the mayor and the citizens of Hartley who are
 15 in charge of making preparations for the centennial celebra-
 16 tion.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 8

By Husak

1 *Whereas*, the lady beetle provides a valuable service
 2 to the state of Iowa by destroying offensive insects; and
 3 *Whereas*, the state of Iowa has a strong interest in
 4 maintaining Iowa's natural environment; and
 5 *Whereas*, the protection of wildlife and the control
 6 and preservation of entomologic life in the state are of
 7 prime interest to the state; and
 8 *Whereas*, the lady beetle is helpful to the farmers of
 9 Iowa; and
 10 *Whereas*, the state of Iowa has a state song, a state
 11 flag, a state seal, a state banner, a state flower, a
 12 state bird, a state tree, and a state rock; *Now There-*
 13 *fore*,

14 *Be It Resolved By The House Of Representatives, The*
15 *Senate Concurring,* That the lady beetle of the class
16 and specie *Hippodamia Convergens* be designated as the
17 state insect and that it be declared that the lady
18 beetle shall not be needlessly injured or killed in
19 the state.

Laid over under Rule 30.

APPOINTMENT OF COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON CLAIMS

Welden of Hardin, chair of the committee on appropriations, announced the appointment of the following members to the committee on appropriations subcommittee on claims: Conlon of Muscatine, chair, Schroeder of Pottawattamie, Byerly of Polk and Miller of Buchanan.

APPOINTMENTS TO IOWA BOUNDARY COMMISSION

The following members were appointed on October 5, 1978 to the Iowa Boundary Commission in accordance with Chapter 1021, 1978 Acts of the Sixty-seventh General Assembly:

Representative Frank Crabb of Crawford County for an initial four-year term beginning July 1, 1978 and ending June 30, 1982.

Representative Clay Spear of Lee County for an initial two-year term beginning July 1, 1978 and ending June 30, 1980.

Representative Craig Walter of Pottawattamie County for an initial four-year term beginning July 1, 1978 and ending June 30, 1982.

SPONSOR ADDED (House File 177)

Hibbs of Johnson requested to be added as a sponsor of House File 177.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 30 day of January, 1979: House File 23.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

**COMMUNICATION FROM
JOB SERVICE OF IOWA**

There is on file in the office of the Chief Clerk a report from Job Service of Iowa, Recommended Tax System for Political Subdivisions, pursuant to Chapter 54, Section 39, Code of Iowa.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 3:00 p.m., January 29, 1979

Convened: 3:00 p.m.

Adjourned: 4:00 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Johnson of Howard, Lonergan, Maulsby, Pelton, Rapp, Smalley, Walter and Welsh.

Absent: Jesse and Lloyd-Jones (arrived at 3:10 p.m.).

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES,

House File 95, to clarify the notice of adoption hearing provision in the code.

Recommended Amend and Do Pass.

H-3181

- 1 Amend House File 95 as follows:
- 2 1. Page 1, by striking lines 10 and 11 and
- 3 inserting in lieu thereof the following:
- 4 "Sec. 2. This Act, being deemed of immediate
- 5 importance, shall take effect and be in force from
- 6 and after its publication in the Globe-Gazette, a
- 7 newspaper published in Mason City, Iowa, and in
- 8 The Des Moines Register, a newspaper published
- 9 in Des Moines, Iowa."

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 53, to revise the list of substances designated as controlled substances under the uniform controlled substances act.

Recommended Amend and Do Pass.

H-3183

- 1 Amend House File 53 as follows:
- 2 1. Page 2, by inserting after line 32 the
- 3 following:
- 4 "b. Pentazocine."

House File 54, relating to district associate judges and judicial magistrates.

Recommended Amend and Do Pass.

H-3182

- 1 Amend House File 54 as follows:
- 2 1. Page 1, line 28, by striking the word "sixth"

3 and inserting in lieu thereof the word "fourth".

4 2. Page 1, line 32, by inserting after the figure
5 "1980," the words "and who meet the qualifications
6 for the office of district associate judge.".

7 3. Page 2, line 4, by striking the word "sixth"
8 and inserting in lieu thereof the word "fourth".

9 4. Page 2, by striking lines 9 through 13 and
10 inserting in lieu thereof the following: "and shall
11 stand for retention in office within the county of
12 their residence at the judicial election in 1974 1982
13 and every four years thereafter, under sections 46.17
14 to 46.24. The term of office of the district
15 associate".

16 5. Page 2, line 15, by striking the words "four
17 six" and inserting in lieu thereof the word "four".

18 6. Page 2, lines 20 through 22, by striking the
19 words "A district associate judge shall stand for
20 retention in the county in which he or she holds
21 office."

22 7. Page 2, line 29, by striking the word "six-
23 year" and inserting in lieu thereof the word "four-
24 year".

25 8. Page 3, by striking lines 10 through 23 and
26 inserting in lieu thereof the following:

27 602.31 SALARY, EXPENSES, RETIREMENT. The annual
28 salary of each district associate judge, shall be
29 an amount as provided by the general assembly and
30 shall be payable from the general fund of the state
31 of Iowa, shall be a sum of nineteen thousand five
32 hundred dollars. District associate judges shall
33 also receive from the state their actual and necessary
34 expenses in the performance of their duties away from
35 the city of their residence, in accordance with section
36 605.2. District associate judges who were municipal
37 court judges prior to July 1, 1973, and who are members
38 of the judicial retirement system under chapter 605A
39 shall remain members thereof; but the state of Iowa,
40 instead of the city and county, shall deduct four
41 percent from their salaries for the judicial retirement
42 fund and shall contribute the public's portion to
43 the judicial retirement fund. A person who becomes
44 a district associate judge on the effective date of
45 this Act by virtue of section three (3) of this Act
46 or who is appointed to the office of district associate
47 judge after the effective date of this Act shall be
48 a member of the Iowa public employees' retirement
49 system as long as the person continues to hold office
50 as a district associate judge."

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- 1 9. Page 7, line 5, by striking the word
- 2 "jurisdiction" and inserting in lieu thereof the word
- 3 "jurisdiction".
- 4 10. Page 12, by striking lines 26 through 35.
- 5 11. Page 13, by striking lines 1 through 3.
- 6 12. By renumbering sections and correcting internal
- 7 references as necessary.

House File 64, providing that rules and forms submitted by the supreme court to the general assembly shall take effect the July first following their submission.

Recommended Amend and Do Pass.

H-3184

- 1 Amend House File 64 as follows:
- 2 1. Page 1, by inserting after line 12 the following
- 3 new section:
- 4 "Sec. 2. In the case of rules and forms filed
- 5 within twenty days after the commencement of the
- 6 second session of the sixty-seventh general assembly
- 7 which did not become effective because the general
- 8 assembly did not adjourn prior to July 1, 1978, such
- 9 rules and forms shall become effective July 1, 1979
- 10 as if they had been reported within twenty days after
- 11 commencement of the first session of the sixty-eighth
- 12 general assembly."
- 13 2. Page 1, line 13, by striking the figure "2"
- 14 and inserting in lieu thereof the figure "3".
- 15 3. Page 1, line 14, by striking the word and
- 16 figure "July 1" and inserting in lieu thereof the
- 17 word and figure "January 8".
- 18 4. Page 1, line 14, by inserting after the word
- 19 "rules" the words "and forms".

On motion by Halvorson of Clayton the House adjourned at 9:13 a.m., until 9:00 a.m., Wednesday, January 31, 1979.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day — Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 31, 1979

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

Prayer was offered by the Reverend Norman Menning, pastor of the First Reformed Church, Doon, Iowa.

The Journal of Tuesday, January 30, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David Youberg, Sac City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holt of Clay for a portion of the day on request of Schroeder of Pottawattamie.

PETITIONS FILED

The following petitions were received and placed on file:

By Lind of Black Hawk, Brandt of Black Hawk and Miller of Buchanan, from one thousand four hundred fifty-six employees of John Deere, Waterloo, Iowa, all favoring permanent share draft legislation.

By Dieleman of Marion, from forty-nine constituents opposing Department of Environmental Quality odor regulations.

INTRODUCTION OF BILLS

House Joint Resolution 11, by Spear, Hanson of Delaware, Bina, Bruner, Brandt, Krewson and Lloyd-Jones, a joint resolution proposing an amendment to the Constitution of the state of Iowa providing that the governor shall appoint the secretary of state and the treasurer of state.

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

House File 183, by Pelton, a bill for an act relating to the valuation of land which is used for wind erosion control or wildlife habitat purposes.

Read first time and referred to committee on **natural resources**.

House File 184, by Howell, a bill for an act relating to pipelines.

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

House File 185, by Pavich and Walter, a bill for an act relating to the exemption for a disabled dependent under the Iowa income tax.

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

House File 186, by Hansen of O'Brien, a bill for an act relating to the use of instruction permits by motorcycle and motor vehicle operators.

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

House File 187, by Hullinger, Daggett, Van Maanen, Davitt and Smalley, a bill for an act relating to the registration of vehicles owned and used exclusively for activities for churches and religious organizations.

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

House File 188, by committee on agriculture, a bill for an act to increase the appropriation to the livestock disease research fund.

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

House File 189, by Groth and Maulsby, a bill for an act to legalize the proceedings of the city of Havelock, Iowa in connection with the letting of certain contracts.

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

House File 190, by Bennett and Schnekloth, a bill for an act exempting from the state sales, service and use tax the gross receipts from the sale and use of fuel used in heating agricultural buildings.

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

House File 191, by Bennett, a bill for an act to grant a partial exemption from property taxation to certain agricultural land.

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

House File 192, by Harbor, Halvorson of Webster and McKean, a bill for an act authorizing ambulance services by townships and an additional property tax levy.

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

House File 193, by Hibbs, McKean and Tyrrell, a bill for an act to repeal eligibility for membership in the Iowa public employees' retirement system for members of the general assembly.

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

House File 194, by Hansen of O'Brien, a bill for an act relating to the payment of claims for nonpublic school pupil transportation.

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

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 on January 29, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 5, providing for a joint convention to be held on February 6, 1979, at 11:00 a.m. for the condition of the judicial message.

FRANK J. STORK, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

McKean of Jones offered the following House Memorial Resolution and moved its adoption:

HOUSE MEMORIAL RESOLUTION 1

Whereas, The Honorable Lynn Battles, Sr. of Jackson County, who was a member of the Sixty-second and Sixty-third sessions of the General Assembly, passed away on January 24, 1979; *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: McKean of Jones, Shimanek of Jones and Welsh of Dubuque.

On motion by Halvorson of Clayton the House was recessed until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Byerly of Polk on request of Woods of Polk.

APPOINTMENTS BY THE SPEAKER
ENERGY POLICY COUNCIL

Speaker Millen announced the appointment of Representative Arlo Hullinger of Decatur County to fill a vacancy on the Energy Policy Council.

IOWA COUNCIL ON CHILD ABUSE INFORMATION

Speaker Millen announced the appointment of the following members to the Iowa Council on Child Abuse Information: Representative Lyle R. Krewson of Polk County and Representative Joyce Lonergan of Boone County.

CAPITOL PLANNING COMMISSION

Speaker Millen announced the appointment of the following

members to the Capitol Planning Commission: Representative Lawrence Pope of Polk County to fill an unexpired term ending April 30, 1981, and Representative W. W. (Bill) Dieleman of Marion County to fill an unexpired term ending April 30, 1979.

REPORT OF HOUSE ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, your committee on administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
House Clerk	Joyce R. Anderson	15/3	I-FT	1/22/79
House Clerk	R. Jeannene Cochran	13/6 to 15/6	I-FT	1/19/79
House Clerk	Andrea J. Doggett	13/3 to 15/3	I-FT	1/19/79
House Clerk	Joan R. Eggen	13/6 to 15/7	I-FT	1/19/79
House Clerk	Holly S. Higgins	13/2 to 15/3	I-FT	1/19/79
House Clerk	Gay P. Leverich	13/3 to 15/4	I-FT	1/19/79
House Clerk	Anita O'Gara	13/1 to 15/1	I-FT	1/19/79
House Clerk	Mary A. Rhoads	13/1 to 15/1	I-FT	1/19/79
House Clerk	Marjorie B. Thompson	13/2 to 15/3	I-FT	1/19/79
Administrative Assistant II	Betty C. Millen	13/5 to 15/4	I-FT	1/19/79
Administrative Assistant II	Judith L. Hall	13/1 to 15/1	I-FT	1/19/79

DAGGETT of Taylor, Chair

HOUSE RESOLUTION 8 By Committee on Ethics

- 1 *Be It Resolved By The House Of Representatives,*
- 2 That the rules governing lobbyists for the sixty-
- 3 eighth general assembly shall be as follows:

4 HOUSE RULES GOVERNING LOBBYISTS

5 1. Definitions:

6 a. For the purposes of these rules, "lobbyist"

7 is defined as a person who:

- 8 (1) is paid compensation to encourage the passage,

9 defeat, or modification of legislation; or
 10 (2) expends money in an attempt to encourage the
 11 passage, defeat, or modification of legislation; or
 12 (3) represents an organization which has as one
 13 of its purposes the encouragement of the passage,
 14 defeat, or modification of legislation; or
 15 (4) is a federal, state, or local official or
 16 employee who represents the official position of his
 17 or her department, commission, board, or agency, and
 18 who attempts to encourage the passage, defeat, or
 19 modification of legislation.
 20 b. The term "lobbyist" shall not include within
 21 its definition:
 22 (1) Designated representatives of political parties
 23 organized in the state of Iowa and representing more
 24 than two percent of the total votes cast for governor
 25 or president in the preceding general election.
 26 (2) Representatives of the news media engaged
 27 only in the reporting and disseminating of news.
 28 (3) Officials and employees of federal, state,
 29 and local government who in the course of their
 30 official duties submit legislation or amendments to
 31 a Representative or a House committee, or who are
 32 requested or required to provide information to a
 33 Representative, or who are requested or required to
 34 appear before a House committee, and who do not
 35 encourage the passage, defeat, or modification of

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1 legislation.
 2 (4) Any elected state official.
 3 (5) Constituents of a legislator in lobbying their
 4 legislator.
 5 2. All lobbyists shall on or before the day their
 6 lobbying activity begins, register with the Chief
 7 Clerk of the House by filing a lobbyist registration
 8 form listing:
 9 a. Name, permanent business and residential
 10 addresses, temporary residential and business addresses
 11 during the legislative session, if any; and telephone
 12 numbers.
 13 b. The name and address of each individual,
 14 company, firm, corporation, union, association or
 15 cause for which he or she lobbies.
 16 c. The general subjects of legislation in which
 17 the lobbyist is or may be interested, the file number
 18 of the bills and resolutions (if known) which will
 19 be lobbied, whether the lobbyist intends to lobby
 20 for or against each bill or resolution (if known),
 21 and on whose behalf the lobbyist is lobbying the bill

22 or resolution.

23 Only one registration statement need be filed by
24 a lobbyist, even if the lobbyist represents more than
25 one client.

26 3. All information filed under these rules shall
27 be public record and open to public inspection at
28 any reasonable time.

29 4. Employees of federal, state, and local
30 government offices who are designated representatives
31 of their agency shall not lobby on behalf of such
32 offices without a letter of authorization from such
33 office.

34 5. Lobbyists shall only be permitted on the floor
35 of the House pursuant to Rule 25 of the Rules of the

Page 3

1 House.

2 6. A fee or bonus shall not be paid to any lobbyist
3 with reference to any legislative action that is
4 conditioned wholly or in part upon the results attained
5 by the lobbyist.

6 7. A lobbyist, or employer of a lobbyist, shall
7 not offer economic or investment opportunity or promise
8 of employment to any member of the House with intent
9 to influence conduct in the performance of official
10 duties.

11 8. The Chief Clerk of the House, subject to the
12 approval of the House ethics committee, shall prescribe
13 forms and procedures for compliance with these rules.

-Laid over under Rule 30.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas, and amendment H—3161A, (to page 8) as amended, found on pages 382 and 383 of the House Journal.

Arnould of Scott offered amendment H—3177, to amendment H—3161, filed by him and Bruner of Story and requested division as follows:

H—3177

1 Amend amendment H—3161 to House File 81 as
2 follows:

H-3177A

- 3 1. Page 1, line 10, by inserting after the word
- 4 "expenses" the words "to a location no more than
- 5 fifty miles outside the state".

H-3177B

- 6 2. Page 1, line 23, by inserting after the word
- 7 "those" the words "persons and".
- 8 3. Page 1, line 25, by inserting after the word
- 9 "years," the words "which person or".
- 10 4. Page 1, line 29, by inserting after the word
- 11 "the" the words "person or".
- 12 5. Page 1, line 32, by inserting after the word
- 13 "the" the words "person or".
- 14 6. Page 1, line 34, by inserting after the word
- 15 "the" the words "person or".
- 16 7. Page 1, line 37, by inserting after the word
- 17 "the" the words "person or".
- 18 8. Page 1, line 41, by inserting after the word
- 19 "causing" the words "persons or".

Arnould of Scott moved the adoption of amendment H-3177A, to amendment H-3161A.

A non-record roll call was requested.

The ayes were 40, nays 48.

Amendment H-3177A lost.

Spear of Lee offered the following amendment H-3165, to amendment H-3161A, filed by him and moved its adoption:

H-3165

- 1 Amend amendment H-3161, to House File 81, as
- 2 follows:
- 3 1. Page 1, by striking lines 15 through 20
- 4 and inserting in lieu thereof the words
- 5 "condition for receiving a tax exemption."

A non-record roll call was requested.

The ayes were 22, nays 69.

Amendment H-3165 lost.

Bruner of Story moved the adoption of amendment H—3161A, as amended.

Roll call was requested by Bruner of Story and Welsh of Dubuque.

On the question "Shall amendment H—3161A, as amended, be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jochum	Lloyd-Jones	Loneran	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
West	Mr. Speaker		

Absent or not voting, 5:

Byerly	Jay	Jesse	Shimanek
Weiden			

Amendment H—3161A, as amended, lost.

The House resumed consideration of amendment H—3177B, to amendment H—3161B (to page 8).

Arnould of Scott moved the adoption of amendment H—3177B, to amendment H—3161B.

A non-record roll call was requested.

The ayes were 41, nays 48.

Amendment H—3177B lost.

Spear of Lee offered the following amendment H—3166, to amendment H—3161B, filed by him and moved its adoption:

H—3166

- 1 Amend amendment H—3161, to House File 81, as
- 2 follows:
- 3 1. Page 1, by striking lines 45 through 48
- 4 and inserting in lieu thereof the following:
- 5 (").

Amendment H—3166 lost.

Bruner of Story moved the adoption of amendment H—3161B, as amended.

Roll call was requested by Bruner of Story and Jochum of Dubuque.

On the question "Shall amendment H—3161B, as amended, be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Brüner	Chiodo	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 6:

Avenson	Byerly	Corey	Doyle
Husak	Jesse		

Amendment H—3161B, as amended, lost.

Norland of Worth offered the following amendment H—3163 filed by Norland, et al., and moved its adoption:

H—3163

1 Amend House File 81 as follows:
 2 1. Page 8, by inserting after line 5 the following
 3 section:
 4 "Sec. 8. NEW SECTION. Each assessor shall submit
 5 a separate list to the county auditor as a part of
 6 the tax list which is certified pursuant to section
 7 four hundred forty-three point twenty-one (443.21)
 8 of the Code. The separate list shall identify each
 9 parcel of real property which has been granted an
 10 exemption from taxation under sections one (1) through
 11 eight (8) of this Act, the amount of the valuation
 12 which is exempted, and one-third of the amount of
 13 the valuation which is exempted and for which the
 14 state will provide reimbursement. The county auditor
 15 shall include the valuation for which a state
 16 reimbursement will be paid with the valuation of all
 17 other property in the county which will be subject
 18 to the property tax prior to the computation of the
 19 levy pursuant to chapter four hundred forty-four (444)
 20 of the Code for each political subdivision which
 21 levies a tax against the valuation of that property.

22 The county treasurer shall levy the tax against one-
 23 third of the amount of the valuation of the property
 24 which is exempted under sections one (1) through eight
 25 (8) of this Act and for which the state will provide
 26 reimbursement and shall certify the amount of taxes
 27 due to the treasurer of state who shall issue a warrant
 28 in the amount of taxes due to the county treasurer.
 29 The county treasurer shall apportion the funds received
 30 in the manner required to the respective taxing
 31 districts which might otherwise have levied taxes
 32 against the valuation of the property had it not been
 33 granted an exemption under sections one (1) through
 34 eight (8) of this Act. There is appropriated from
 35 the general fund of the state an amount sufficient
 36 to carry out the provisions of this section."

37 2. Page 8, line 13, by striking the word and
 38 figure "seven (7)" and inserting in lieu thereof the
 39 word and figure "eight (8)".

40 3. Page 8, line 20, by striking the word and
 41 figure "seven (7)" and inserting in lieu thereof the
 42 word and figure "eight (8)".

43 4. Page 8, lines 25 and 26, by striking the word
 44 and figure "seven (7)" and inserting in lieu thereof
 45 the word and figure "eight (8)".

46 5. Page 9, line 4, by striking the word and figure
 47 "seven (7)" and inserting in lieu thereof the word
 48 and figure "eight (8)".

49 6. Amend the title, line 4, by inserting after
 50 the word "areas" the words "and making an

Page 2

1 appropriation".

Roll call was requested by Rapp of Black Hawk and Anderson of Jasper.

On the question "Shall amendment H—3163 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Walter	Wells	Welsh	Woods

The nays were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Byerly	Jesse	Perkins
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Amendment H—3163 lost.

Jochum of Dubuque offered the following amendment H—3176 filed by him:

H—3176

1 Amend House File 81 as follows:
 2 1. Page 8, by inserting after line 5 the
 3 following section:
 4 "Sec. . NEW SECTION. Upon application to it
 5 and after verification by it, the city shall provide
 6 relocation payments to or with respect to any
 7 individual who has resided within the area desig-
 8 nated a revitalization area for one year or longer
 9 and who is displaced as a result of improvements
 10 made in a designated revitalization area. The
 11 payments shall be made for moving expenses within
 12 the city, losses of property for which reimburse-
 13 ment or compensation has not otherwise been provided
 14 and one month's rent."

Horn of Linn offered the following amendment H—3189, to amendment H—3176, filed by him from the floor:

H—3189

1 Amend amendment H—3176, to page 8 of House File

2 81, as follows:

3 1. Page 1, line 3, by striking the word "section"
4 and inserting in lieu thereof the word "sections".

5 2. Page 1, by inserting after line 14 the
6 following:

7 "2. Page 8, by inserting after line 5 the following:

8 "Sec. . . Section four hundred forty-two point
9 thirteen (442.13), subsection five (5), Code 1979, is
10 amended by adding the following new lettered paragraph:

11 . Unusual decrease in enrollment due to dis-
12 placement of residents of an area designated an urban
13 revitalization area pursuant to the provisions of this
14 Act."

West of Marshall rose on a point of order that amendment H-3189 was not germane.

The Speaker ruled the point well taken and amendment H-3189 not germane.

Conlon of Muscatine offered the following amendment H-3185, to amendment H-3176, filed by him from the floor and moved its adoption:

H-3185

1 Amend the amendment, H-3176, to page 8 of House

2 File 81 as follows:

3 1. Page 1, line 5, by inserting after the word
4 "provide" the word "for".

Amendment H-3185 was adopted.

Jochum of Dubuque moved the adoption of amendment H-3176, as amended.

Roll call was requested by Jochum of Dubuque and Bina of Scott.

On the question "Shall amendment H-3176, as amended, be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Conlon	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.

Hanson, D.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Byerly	Egenes	Jesse	Patchett
Schroeder			

Amendment H—3176, as amended, lost.

Conlon of Muscatine offered amendment H—3118 filed by him and Hanson of Delaware and requested division as follows:

H—3118

1 Amend House File 81 as follows:

H—3118A

2 1. Page 8, by striking lines 10 and 11 and by
3 inserting in lieu thereof the following: "shall submit
4 an annual report to the governor and to such members
5 of the general assembly as request it. This report
6 shall include an analysis of all plans".

H—3118B

7 2. Page 8, by striking line 35.
8 3. Page 9, line 1, by striking the word "and" and
9 by inserting in lieu thereof the words "b. Section".
10 4. Page 9, line 2, by striking the word "do" and
11 inserting in lieu thereof the word "does".

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3118B.

On motion by Conlon of Muscatine, amendment H—3118A was adopted.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3121 (to page 8) filed by him on January 19, 1979.

West of Marshall offered the following amendment H—3141 filed by West, et al., and moved its adoption:

H—3141

1 Amend House File 81 as follows:

2 1. Page 8, by inserting after line 14 the following
3 section:

4 "Sec. Chapter four hundred nineteen (419),
5 Code 1979, is amended by adding the following new
6 section:

7 **NEW SECTION.** Cities may also issue revenue bonds
8 for projects located within a qualified urban renewal
9 area or an area designated a revitalization area
10 pursuant to sections one (1) through seven (7) of
11 this Act. The revenue bonds shall be issued pursuant
12 to the provisions of this chapter and all provisions
13 of this chapter shall apply, except that:

14 1. The term "project" as defined in section four
15 hundred nineteen point one (419.1) of the Code includes
16 land, buildings, or improvements which are suitable
17 for use as residential property or for the use of
18 a commercial enterprise or nonprofit organization
19 which the governing body finds is consistent with
20 the urban renewal plan for a qualified urban renewal
21 area or the revitalization plan, as the case may be.

22 2. To the extent that a city is authorized to
23 pay out or contribute to the cost of a project under
24 chapter four hundred three (403) of the Code in the
25 case of a qualified urban renewal area or under
26 sections one (1) through seven (7) of this Act in
27 the case of a revitalization area, the provisions
28 of section four hundred nineteen point eight (419.8)
29 of the Code shall not apply.

30 3. The provisions of section four hundred nineteen
31 point fourteen (419.14) of the Code shall not apply
32 to projects within a qualified urban renewal area.

33 The power to issue revenue bonds pursuant to this
34 section is in addition to other powers granted cities

35 to aid qualified urban renewal areas and revitalization
36 areas.

37 The term "qualified urban renewal area" means an
38 urban renewal area designated as such pursuant to
39 chapter four hundred three (403) of the Code before
40 the effective date of this Act."

41 2. Page 8, by striking lines 15 through page 9,
42 line 8.

Amendment H—3141 was adopted.

Chiodo of Polk offered the following amendment H—3120 filed
by him:

H—3120

1 Amend House File 81 as follows:

2 1. Page 9, by inserting after line 8 the
3 following new section:
4 "Sec. . It is the intent of the general
5 assembly that a significant portion of the funds
6 provided through the issuance of revenue bonds by
7 the Iowa housing finance authority be made available
8 to the owners of residential property for
9 rehabilitation of housing located in urban
10 revitalization areas designated pursuant to this
11 Act. Further, it is the intent of the general
12 assembly to encourage the rehabilitation of
13 existing residential housing in urban revitalization
14 areas, and to discourage needless demolition and
15 redevelopment of residential housing."

Chiodo of Polk offered the following amendment H—3162, to
amendment H—3120, filed by him and moved its adoption:

H—3162

1 Amend amendment H—3120, to page 9 of House File
2 81, as follows:

3 1. Page 1, by striking lines 4 through 15 and
4 inserting in lieu thereof the following:
5 "Sec. . It is the intent of the general assembly
6 that Iowa Housing Finance Authority shall make an
7 allocation of funds subject to availability of single
8 family mortgage bond proceeds to be made available to
9 or on behalf of owners of single-family residential
10 property for mortgage loans on single-family housing
11 that is rehabilitated with private funds and is located
12 in urban revitalization areas designated pursuant to
13 this Act."

Amendment H—3162 was adopted.

On motion by Chiodo of Polk, amendment H—3120, as amended, was adopted.

Miller of Buchanan offered the following amendment H—3158 filed by him:

H—3158

1 Amend House File 81 as follows:

2 1. Page 2, line 32, by inserting after the word
3 "concerns" the words " , mobile homeowners, including
4 mobile homes,".

5 2. Page 8, by inserting after line 5 the following
6 section:

7 "Section 8. NEW SECTION. Upon application to
8 it and after verification by it, the city shall provide
9 relocation payments to or with respect to any mobile
10 homeowner displaced as a result of improvements made
11 in a designated revitalization area. The payments
12 shall be made for moving expenses and losses of
13 property for which reimbursement or compensation has
14 not otherwise been provided. The city may require
15 persons causing mobile homeowners to be displaced
16 to pay the relocation payments provided in this section
17 as a condition for receiving tax exemptions under
18 sections one (1) through eight (8) of this Act. The
19 state shall reimburse the city in the amount of fifty
20 percent of the relocation payments paid by the city
21 after receipt by the state treasurer of a certified
22 bill stating the amount of relocation payments made
23 by the city."

24 2. Page 8, line 13, by striking the word and
25 figure "seven (7)" and inserting in lieu thereof the
26 word and figure "eight (8)".

27 3. Page 8, line 20, by striking the word and
28 figure "seven (7)" and inserting in lieu thereof the
29 word and figure "eight (8)".

30 4. Page 8, lines 25 and 26, by striking the word
31 and figure "seven (7)" and inserting in lieu thereof
32 the word and figure "eight (8)".

33 5. Page 9, line 4, by striking the word and figure
34 "seven (7)" and inserting in lieu thereof the word
35 and figure "eight (8)".

Miller of Buchanan asked and received unanimous consent to withdraw amendment H—3168, to amendment H—3158 (to page 2) filed by him on January 24, 1979.

Miller of Buchanan offered the following amendment H—3173, to amendment H—3158 filed by him and moved its adoption:

H—3173

- 1 Amend amendment H—3158, to page 2 of House File
- 2 81, as follows:
- 3 1. Page 1, line 12, by inserting after the
- 4 word "expenses" the words "to a location no more
- 5 than fifty miles outside of the state".

Amendment H—3173 was adopted.

Spear of Lee offered the following amendment H—3186 to amendment H—3158, filed by him from the floor and moved its adoption:

H—3186

- 1 Amend amendment H—3158, to page 2 of House File
- 2 81, as follows:
- 3 1. Page 1, by striking lines 18 through 23 and
- 4 inserting in lieu thereof the following: "sections
- 5 one (1) through eight (8) of this Act."

A non-record roll call was requested.

The ayes were 22, nays 61.

Amendment H—3186 lost.

On motion by Miller of Buchanan, amendment H—3158, as amended, lost.

Cusack of Scott offered amendment H—3171 filed by him and Bina of Scott and requested division as follows:

H—3171

- 1 Amend House File 81 as follows:

H—3171A

- 2 1. Page 3, by inserting after line 7 the following
- 3 subsection:
- 4 " . The city has filed with and received approval
- 5 of a copy of the proposed plan for the designated
- 6 revitalization,area with the city planning commission.

7 If the commission does not approve or object to the
8 plan by notifying the city within thirty days of
9 receipt of the plan, the commission shall have deemed
10 to have approved the plan. If the commission objects
11 within the required thirty days, the city can override
12 the objections and the plan will be considered approved
13 by a three-fourths vote of the authorized number of
14 members of the governing body in favor of overriding.
15 The procedures outlined in subsections three (3)
16 through eleven (11) of section three hundred eighty-
17 six point three (386.3) of the Code shall apply to
18 this subsection in the same manner as if the term
19 "district" as used in those subsections referred to
20 the proposed plan."

H-3171B

21 2. Page 8, by inserting after line 5 the following
22 section:
23 "Sec. 8. NEW SECTION. No public official or
24 employee of a city or board or commission which has
25 authority to declare an area a revitalization area,
26 to approve a plan for a revitalization area or to
27 issue revenue bonds for a project within a
28 revitalization area shall voluntarily acquire any
29 personal interest, as hereinafter defined, whether
30 direct or indirect, in a revitalization area or
31 project, or in any property included or planned to
32 be included in any revitalization area or project
33 or in any contract or proposed contract in connection
34 with such area or project. Where such acquisition
35 is not voluntary, the interest acquired shall be
36 immediately disclosed in writing to the governing
37 body, and such disclosure shall be entered upon the
38 minutes of the governing body. If any such official,
39 commissioner or employee presently owns or controls,
40 or has owned or controlled within the preceding two
41 years, any interest, as hereinafter defined, whether
42 direct or indirect, in any property which he or she
43 knows is included or planned to be included in a
44 revitalization area or project, he or she shall
45 immediately disclose this fact in writing to the
46 governing body, and such disclosure shall be entered
47 upon the minutes of the governing body; and any such
48 official, commissioner or employee shall not
49 participate in any action by the city or board or
50 commission affecting such property. For the purposes

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1 of this section the following definitions and standards
2 of construction shall apply:

3 1. "Action affecting such property" shall include
4 only that action directly and specifically affecting
5 such property as a separate property but shall not
6 include any action, any benefits of which accrue to
7 the public generally, or which affects all or a
8 substantial portion of the properties included or
9 planned to be included in such area or project.

10 2. Employment by a public body, its agencies,
11 or institutions or by any other person having such
12 an interest shall not be deemed an interest by such
13 employee or of any ownership or control by such
14 employee of interests of his or her employer. Such
15 an employee may participate in a revitalization area
16 or project so long as any benefits of such
17 participation accrue to the public generally, such
18 participation affects all or a substantial portion
19 of the properties included or planned to be included
20 in such area or a project, or such participation
21 promotes the public purposes of such area or project,
22 and shall limit only that participation by an employee
23 which directly or specifically affects property in
24 which an employer of an employee has an interest.

25 3. The word "participation" shall be deemed not
26 to include discussion or debate preliminary to a vote
27 of a governing body, board or commission upon proposed
28 ordinances, plans or resolutions relating to such
29 area or project or any abstention from such a vote.

30 4. The designation of a bank or trust company
31 as depository, paying agent, or agent for investment
32 of funds shall not be deemed a matter of interest
33 or personal interest.

34 5. Stock ownership in a corporation having such
35 an interest shall not be deemed an indicia of an
36 interest or of ownership or control by the person
37 owning such stocks when less than five percent of
38 the outstanding stock of the corporation is owned
39 or controlled directly or indirectly by such person.

40 6. The word "action" shall not be deemed to include
41 resolutions advisory to the governing body, board
42 or commission by any citizens group, board, body,
43 or commission designated to serve a purely advisory
44 approving or recommending function.

45 7. The limitations of this section shall be
46 construed to permit action by a public official,
47 commissioner, or employee where any benefits of such
48 action accrue to the public generally, such action
49 affects all or a substantial portion of the properties
50 included or planned to be included in such area or

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1 project, or such action promotes the public purposes
2 of such area or project, and shall be construed to
3 limit only that action by a public official,
4 commissioner, or employee which directly or
5 specifically affects property in which such official,
6 commissioner, or employee has an interest or in which
7 an employer of such official, commissioner, or employee
8 has an interest. Any violation of the provisions
9 of this section shall constitute misconduct in office,
10 but no ordinance or resolution of a city, board or
11 commission shall be invalid by reason of votes cast
12 in violation of the standards of this section unless
13 such votes were decisive in the passage of such
14 ordinance or resolution."

By unanimous consent the following amendment H-3192, to amendment H-3171A, filed by Cusack of Scott from the floor was adopted:

H-3192

- 1 Amend amendment H-3171, to page 3 of House File
- 2 81, as follows:
- 3 1. Page 1, by striking lines 15 through 20.

By unanimous consent the following amendment H-3194, to amendment H-3171A, filed by Cusack of Scott from the floor was adopted:

H-3194

- 1 Amend amendment H-3171, to page 3 of House File
- 2 81, as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "commission" the words "in those communities which
- 5 have planning commissions".

By unanimous consent the following amendment H-3193, to amendment H-3171A, filed by Spear of Lee from the floor was adopted:

H-3193

- 1 Amend amendment H-3171, to page 3 of House File
- 2 81, as follows:
- 3 1. Page 1, line 9, by striking the word "have"
- 4 and inserting in lieu thereof the word "be".

RULE 2 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend House Rule 2 to continue debate beyond 6:00 p.m.

Cusack of Scott moved the adoption of amendment H—3171A, as amended.

A non-record roll call was requested.

The ayes were 40, nays 48.

Amendment H—3171A, as amended, lost.

Cusack of Scott moved the adoption of amendment H—3171B.

Roll call was requested by Cusack of Scott and Bina of Scott.

On the question "Shall amendment H—3171B be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Pavich	Perkins	Rapp	Ritsema
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer

Swearingen
Van Maanen

Thompson
West

Tofte
Mr. Speaker

Tyrrell

Absent or not voting, 7:

Byerly
Jesse

Clark, J.H.
Patchett

Doyle
Weiden

Harbor

Amendment H—3171B lost.

The House resumed consideration of amendment H—3122B, filed by Conlon of Muscatine, as follows:

H—3122B

4 2. Page 3, line 14, by inserting after the word
5 "area" the words ", the tenants living within the
6 proposed area".

7 3. Page 3, line 18, by inserting after the word
8 "recbrd" the words "and to the occupants of known
9 rental units located within the proposed area".

The House resumed consideration of amendment H—3148, to amendment H—3122B, filed by Conlon of Muscatine and found on page 322 of the House Journal.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3148.

Conlon of Muscatine offered the following amendment H—3169, to amendment H—3122B, filed by Conlon, et al., and moved its adoption:

H—3169

1 Amend amendment H—3122, to page 3 of House File
2 81, as follows:

3 1. Page 1, by striking lines 7 through 9 and
4 inserting in lieu thereof the following:

5 "3. Page 3, line 18, by inserting after the word
6 "record." the following: "The city shall also send
7 notice by ordinary mail addressed to the "occupants"
8 of city addresses located within the proposed area,
9 unless the city council, by reason of lack of a reason-
10 ably current and complete address list, or for other
11 good cause, shall have waived such notice. Notwith-
12 standing the provisions of section three hundred sixty-
13 two point three (362.3), Code 1979, such notice shall
14 be given by the fourteenth day prior to the public
15 hearing." "

Amendment H—3169 was adopted.

Bina of Scott asked and received unanimous consent to withdraw amendment H—3167, to amendment H—3122B, (to page 3) filed by him on January 24, 1979.

On motion by Conlon of Muscatine, amendment H—3122B, as amended, was adopted.

Bina of Scott offered the following amendment H—3134 filed by him and moved its adoption:

H—3134

1 Amend House File 81 as follows:

2 1. Page 3, line 32, by inserting after the word
3 "hearings." the words:

4 "However, the plan shall not be approved by the
5 city and an area shall not be designated an urban
6 revitalization area if a majority of the qualified
7 electors within the city, in a referendum held
8 upon the request of ten (10) percent of the qualified
9 electors within the city, votes to disapprove the
10 plan. If the plan is disapproved in this manner,
11 the plan shall be amended by the city and the procedures
12 outlined in subsections three (3), four (4), five (5)
13 and six (6) of this section shall apply."

Roll call was requested by Cusack of Scott and Bina of Scott.

On the question "Shall amendment H—3134 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiодо
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Cusack	Davitt	Dieleman
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Jay
Jochum	Lloyd-Jones	Loneragan	Maulsby
Menke	Miller	Norland	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh			

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	McKean
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 8:

Byerly	Doyle	Hullinger	Husak
Jesse	Patchett	Tofte	Woods

Amendment H – 3134 lost.

Bina of Scott offered the following amendment H – 3138 filed by him:

H – 3138

- 1 Amend House File 81 as follows:
- 2 1. Page 3, by inserting after line 33 the
- 3 following new section:
- 4 "Sec. NEW SECTION.
- 5 1. If an area zoned for residential use or
- 6 commercial use for residential purposes or mixed
- 7 commercial and residential uses is rezoned on or
- 8 after the effective date of this Act for commer-
- 9 cial or industrial uses, the city shall not adopt
- 10 a resolution designating that area as a part of a
- 11 revitalization area for at least three years after
- 12 the date on which that area was rezoned.
- 13 2. After the city designates an area a revita-
- 14 lization area, the city shall not rezone an area
- 15 zoned for residential use or commercial use for
- 16 residential purposes or mixed commercial and
- 17 residential uses to commercial or industrial
- 18 uses within that revitalization area during the
- 19 time the area remains designated a revitalization
- 20 area or for five years from the date of the
- 21 designation as a revitalization area, whichever
- 22 time is the lesser.
- 23 3. The provisions in this section restricting

24 a city from designating an area a revitalization
 25 area if that area has been rezoned or restricting
 26 a city from rezoning an area within a revitali-
 27 zation area do not apply to any of the following:

28 a. The rezoning of an area consisting solely
 29 of land on which no structure exists at the time
 30 of rezoning unless structures previously
 31 existing on the land have been removed for the
 32 purpose of qualifying for this exception.

33 b. The rezoning of an area if before the re-
 34 zoning the city has entered into agreements with
 35 all developers and the persons and businesses
 36 involved to insure that relocation payments or
 37 rent supplements will be provided.

38 c. The rezoning of an area for which an urban
 39 renewal project has been approved pursuant to
 40 chapter four hundred three (403) of the Code.

41 4. For purposes of this section, zoning for
 42 "mixed commercial and residential uses" means a
 43 zoning classification in which small scale
 44 commercial uses are permitted in an otherwise
 45 predominantly residential environment."

Cusack of Scott asked and received unanimous consent to withdraw amendment H—3138.

The House resumed consideration of amendment H—3132 (to page 5) filed by Hall of Linn and found on page 360 of the House Journal.

West of Marshall offered the following amendment H—3179, to amendment H—3132, filed by West, et al., and moved its adoption:

H—3179

1 Amend the amendment, H—3132, to page 5 of House
 2 File 81, as follows:

3 1. Page 1, by striking lines 2 through 10, and
 4 by inserting in lieu thereof the following:
 5 "1. Page 5, line 21, by inserting after the word
 6 "structures." the words "However, if such construction,
 7 rehabilitation or additions were begun prior to January
 8 29, 1979, or one year prior to the adoption by the
 9 city of a plan of urban revitalization pursuant to
 10 section two (2) of this Act, whichever occurs later, the
 11 value added by such construction, rehabilitation or
 12 additions shall not constitute an increase in value
 13 for purposes of qualifying for the exemptions listed
 14 in this section." "

Amendment H—3179 was adopted.

On motion by Hall of Linn, amendment H-3132, as amended, was adopted.

Bennett of Ida asked and received unanimous consent to withdraw his motions to reconsider amendment H-3113 and amendment H-3170 (to amendment H-3113) filed by him on January 24, 1979.

Perkins of Greene called up for consideration his motion to reconsider amendment H-3164, filed by him on January 29, 1979, and asked and received unanimous consent to reconsider the vote by which amendment H-3164, as amended, was adopted by the House on January 29, 1979.

The House resumed consideration of amendment H-3164, to page 5, found on page 379 of the House Journal, placing out of order the motion to reconsider amendment H-3164 filed by West of Marshall on January 29, 1979.

Evans of Grundy offered the following amendment H-3187, to amendment H-3164, filed by him and Perkins of Greene from the floor and moved its adoption:

H-3187

- 1 Amend the amendment, H-3164, as amended, to House
- 2 File 81, as follows:
- 3 1. Page 1, by inserting after line 1 the following:
- 4 "1. Page 2, line 22, by inserting after the word
- 5 "residential," the word "agricultural,""
- 6 2. Page 1, line 5, by inserting after the word
- 7 "Act" the words "unless the governing body of the
- 8 city has presented justification at a public hearing
- 9 held pursuant to section two (2) of this Act for the
- 10 revitalization of land assessed as agricultural
- 11 property by means of new construction. Such justification
- 12 shall demonstrate, in addition to the other requirements
- 13 of this Act, that the improvements on land assessed as
- 14 agricultural land will utilize the minimum amount of
- 15 agricultural land necessary to accomplish the
- 16 revitalization of the other classes of property within
- 17 the urban revitalization area".
- 18 3. By renumbering the amendment to conform with
- 19 this amendment.

Amendment H-3187 was adopted.

On motion by Perkins of Greene, amendment H—3164, as amended, was adopted.

West of Marshall 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. 81)

The ayes were, 79:

Anderson, J.	Anderson, R.	Bennett	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spears	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
West	Woods	Mr. Speaker	

The nays were, 18:

Arnould	Avenson	Bina	Binneboese
Connors	Cusack	Davitt	Groth
Hinkhouse	Howell	Hullinger	Jay
Jochum	Lloyd-Jones	Lonergan	Maulsby
Schneklath	Welsh		

Absent or not voting, 3:

Byerly	Doyle	Jesse
--------	-------	-------

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

IMMEDIATE MESSAGE
(House File 81)

West of Marshall asked and received unanimous consent to immediately message House File 81 to the Senate.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 91 Cities

To amend Iowa law respecting tort liability of local governmental subdivisions.

S.B. 92 Cities

To reinstate governmental-tort immunity, for both the state and municipalities.

S.B. 93 Cities

To limit recovery under the Iowa Tort Claims Act.

S.B. 94 Ways and Means

Relating to the state individual income tax.

UNANIMOUS CONSENT CALENDAR
(House Resolution 7)

We hereby request that House Resolution 7, filed on January 30, 1979 and found on page 392 of the House Journal, be placed on the unanimous consent calendar.

HANSEN of O'Brien
MENKE of O'Brien

SPONSOR ADDED
(House File 173)

Bina of Scott requested to be added as a sponsor of House File 173.

PROOF OF PUBLICATION
(House File 189)

Published copy of House File 189 and verified proof of publication of said bill in The Laurens Sun, a weekly newspaper printed and published in the town of Laurens, Pocahontas County, Iowa, on January 25, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON ETHICS

House Resolution 8, relating to House Rules Governing Lobbyists.

Recommended **Do Pass**.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 10, a bill for an act relating to furnishing prosthetic devices for injured workers.

Recommended **Do Pass**.

Fiscal note is attached.

COMMITTEE ON STATE GOVERNMENT

House Joint Resolution 1, a joint resolution for the purpose of requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Recommended **Do Pass**.

Study Bill 27, a bill for an act relating to the regulation of liquefied natural gas.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3188

H.F. 169

Brandt of Black Hawk

H-3190

H.F. 54

Doyle of Woodbury

H-3191

H.F. 182

Schroeder of Pottawattamie

On motion by Halvorson of Clayton the House adjourned at 7:22 p.m., until 9:00 a.m., Thursday, February 1, 1979.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day — Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 1, 1979

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

Prayer was offered by the Reverend John Bates, pastor of the Eden Presbyterian Church, Rudd, Iowa.

The Journal of Wednesday, January 31, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Gerry Mich, Resident, Iowa Lutheran Hospital, Des Moines, Iowa.

PETITIONS FILED

The following petitions were received and placed on file:

By Anderson of Jasper from one hundred forty-four constituents; Branstad of Winnebago from twenty students of Sentral Community School, Fenton, Iowa; Connors of Polk from forty students of the South Tama Community School District; Holt of Clay from seventy-nine students of the fourth district; Howell of Floyd from seventy-two constituents; Husak of Tama from one hundred sixteen students from Grinnell-Newburg Elementary School, Grinnell, Iowa, and twenty-four students from Chelsea Elementary School, Chelsea, Iowa; Hummel of Benton from two hundred eighty-five students of East Buchanan Community School, Winthrop, Iowa; Johnson of Woodbury from ninety-three constituents of Monona County; Lageschulte of Bremer from two hundred sixty-two constituents; Oxley of Linn from forty-nine constituents; Shull of Warren from one hundred twenty-nine students of Northstar Elementary School, Knoxville, Iowa; all favoring House Concurrent Resolution 8 relating to the preservation of the ladybug.

By Rapp of Black Hawk, from eighty-five members of the John Deere Credit Union of Waterloo favoring the approval of share draft legislation.

INTRODUCTION OF BILLS

House Joint Resolution 12, by Pelton, a joint resolution proposing an amendment to the Constitution of the state of Iowa to provide that a person's right of privacy shall not be denied by the state or any of its political subdivisions.

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

House File 195, by Doyle, a bill for an act relating to the labor commissioner's authority to issue rules under the state elevator code to make elevators accessible to and usable by the general public.

Read first time and referred to committee on **labor and industrial relations**.

House File 196, by Evans, Anderson of Audubon, Pope, Lura, Poffenberger and Shull, a bill for an act allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation.

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

House File 197, by Egenes, a bill for an act to freeze the current maximum weekly benefit for unemployed persons until the maximum benefit equals sixty percent of the average weekly wage.

Read first time and referred to committee on **labor and industrial relations**.

House File 198, by Tofte, a bill for an act relating to eligibility of municipal fire and police personnel for workers' compensation.

Read first time and referred to committee on **labor and industrial relations**.

House File 199, by Hibbs, a bill for an act relating to the licensing and regulation of athletic trainers, providing fees and penalties.

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

House File 200, by Clark of Lee, a bill for an act to provide for compilation and printing of a directory of former legislators.

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

House File 201, by Johnson of Linn, Woods, Byerly and Horn, a bill for an act to repeal the special fifteen percent tax imposed on retail liquor licensees.

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

House File 202, by Pelton, a bill for an act providing that energy conservation shall be one of the objectives of city and county zoning regulations.

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

House File 203, by Thompson, a bill for an act relating to the maximum fee for the furnishing or procurement of employment.

Read first time and referred to committee on **labor and industrial relations**.

HOUSE FILE 13 WITHDRAWN

Krewson of Polk asked and received unanimous consent to withdraw House File 13 from further consideration by the House.

On motion by Halvorson of Clayton the House was recessed until 3:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Byerly of Polk on request of Woods of Polk; Hummel of Benton and West of Marshall on request of Halvorson of Clayton; Norland of Worth on request of Anderson of Jasper.

HOUSE RESOLUTION 9

By Gettings

- 1 *Whereas*, the unexpected snowfall and cold weather
 2 has placed unusual burdens upon the budgets of
 3 southeastern Iowa counties and cities because of the
 4 cost of snow removal; and
 5 *Whereas*, there appears to be a need for additional
 6 funds to aid these counties and cities; *Now Therefore*,
 7 *Be It Resolved by the House of Representatives*,
 8 That the governor of the state of Iowa is urged to
 9 approve legislation which is introduced and approved
 10 by the general assembly providing for financial aid
 11 for the southeastern Iowa cities and counties for the
 12 purpose of alleviating snow removal costs.

Laid over under Rule 30.

HOUSE RESOLUTION 10

By Thompson, Daggett, Harbor and Danker

- 1 *Whereas*, the city of Elliott, Iowa, is nearing the
 2 centennial anniversary of its founding as a city; and
 3 *Whereas*, the citizens of Elliott, Iowa, are preparing
 4 for a centennial celebration August 31, September 1 and 2,
 5 1979, to commemorate the one-hundredth anniversary of the
 6 city's founding; *Now Therefore*,
 7 *Be It Resolved By The House Of Representatives*, That
 8 the membership of the House of Representatives of the
 9 Sixty-eighth General Assembly of the State of Iowa
 10 extends its heartiest congratulations to the city of
 11 Elliott, Iowa, in commemoration of the centennial anni-
 12 versary of its founding in this year of 1979; and
 13 *Be It Further Resolved*, That a copy of this resolution
 14 be forwarded to the mayor and the citizens of Elliott who
 15 are in charge of making preparations for the centennial
 16 celebration.

Laid over under Rule 30.

APPOINTMENTS TO
 CONFIDENTIAL RECORDS COUNCIL

Speaker Millen announced the appointment of the following members to the Confidential Records Council: Representative Doug Ritsema of Sioux County and Representative Thomas J. Jochum of Dubuque County.

REREFERRED TO COMMITTEE ON CITIES
(House File 173)

The Speaker announced that **House File 173**, previously referred to the committee on ways and means, is rereferred to the **committee on cities**.

QUORUM CALL

Roll call was requested by Kirkenlager of Des Moines and Conlon of Muscatine to determine that a quorum was present.

Present: 89

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenlager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonerган
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schroeder	Sherzan	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Woods
Mr. Speaker			

Absent: 11

Avenson	Bruner	Byerly	Hummel
Husak	Norland	Rapp	Schneklath
Shimanek	Welsh	West	

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 1, 1979 he approved and transmitted to the Secretary of State the following bill:

House File 23, an act regarding the frequency of salary and expenses payments to members, officers, and employees of the General Assembly.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 95 Transportation**

Relating to the operation of motorcycles and motorized bicycles.

S.B. 96 Human Resources

Establishing a state department of mental health.

S.B. 97 Human Resources

Relating to the providing of general assistance to needy persons.

S.B. 98 County Government

Relating to state employee relocation payments.

S.B. 99 County Government

To permit counties to sell property to the state department of transportation to be used for transportation purposes.

S.B. 100 County Government

Relating to the appointment and compensation of the clerks of the district court.

S.B. 101 County Government

Making statutory changes which affect the duties, responsibilities and procedures of county treasurers.

S.B. 102 County Government

To aid county treasurers in the collection of delinquent real estate taxes.

S.B. 103 County Government

Relating to the collection of delinquent taxes on buildings located on leased land.

S.B. 104 County Government

To permit each elected county official to have a vote on the board that ratifies collective bargaining agreements with employees of said officials.

S.B. 105 County Government

To assure county officers adequate legal counsel when they are not guilty of an illegal act when performing their duties.

S.B. 106 Cities

To exempt property within cities from the tax levy for the construction and maintenance of secondary roads.

S.B. 107 Cities

Relating to a requirement for municipal improvement districts.

S.B. 108 Cities

Relating to veterans' preference for public employment appointments in civil service cities.

S.B. 109 Cities

Relating to charges for parking meter violations in cities.

S.B. 110 Cities

Relating to the investment of cemetery perpetual care funds by cities.

S.B. 111 County Government

Authorizing township trustees to divide a township into taxing districts to provide fire protection service.

S.B. 112 Cities

Authorizing cities to utilize chapter four hundred nineteen (419) of the Code in providing housing for low or moderate income families.

S.B. 113 Cities

Amending city finance laws.

S.B. 114 Ways and Means

Relating to the deductibility of certain amounts by corporations in computing the Iowa net income for taxation purposes.

S.B. 115 Ways and Means

Creating an investment tax credit for Iowa taxpayers.

COMMUNICATION FROM THE
IOWA COMMISSION
ON THE STATUS OF WOMEN

There is on file in the office of the Chief Clerk the Annual Report of the Iowa Commission on the Status of Women pursuant to Chapter 601, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 8

State Government: Hibbs, Chair; Anderson of Audubon and Lloyd-Jones.

House Joint Resolution 9

State Government: Shimanek, Chair; Lageschulte and Halvorson of Webster.

House Joint Resolution 10

State Government: Lura, Chair; Hinkhouse and Johnson of Woodbury.

House File 10

Labor and Industrial Relations: Conlon, Chair; Kirkenlager and Gettings.

House File 29

Ways and Means: Harbor, Chair; Bennett and Oxley.

House File 36

Ways and Means: West, Chair; Daggett and Hall.

House File 39

Ways and Means: West, Chair; Pope, Clark of Lee, Lorenzen, Norland, Hall and Pavich.

House File 41

Ways and Means: Harbor, Chair; West and Norland.

House File 49

Judiciary and Law Enforcement: Welsh, Chair; Ritsema and Hibbs.

House File 51

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 55

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 56

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

House File 57

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 62

Ways and Means: West, Chair; Clark of Lee and Anderson of Jasper.

House File 67

Ways and Means: West, Chair; Clark of Lee and Anderson of Jasper.

House File 76

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 84

Cities: Johnson of Linn, Chair; Bina, Brandt, Halvorson of Webster, Krewson, Larsen and Lorenzen.

House File 85

Labor and Industrial Relations: Pope, Chair; Corey and Horn.

House File 97

Transportation: Schroeder, Chair; Hinkhouse and Menke.

House File 98

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Jochum and Connolly.

House File 99

County Government: Swearingen, Chair; Gettings and Johnson of Linn.

House File 100

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 105

Labor and Industrial Relations: Menke, Chair; Welden and Connolly.

House File 106

Labor and Industrial Relations: Egenes, Chair; Lorenzen and Pavich.

House File 107

State Government: Lura, Chair; Stromer and Brandt.

House File 110

Judiciary and Law Enforcement: Walter, Chair; Maulsby and Doyle.

House File 112

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Welsh.

House File 119

Ways and Means: Evans, Chair; Branstad and Howell.

House File 120

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Oxley and Brandt.

House File 121

County Government: Hanson of Delaware, Chair; Bruner and Johnson of Howard.

House File 122

Judiciary and Law Enforcement: Jesse, Chair; Ritsema and Arnould.

House File 123

State Government: Hoffmann, Chair; Bina and Swearingen.

House File 125

Ways and Means: West, Chair; Daggett and Hall.

House File 129

Judiciary and Law Enforcement: Pelton, Chair; Holt and Rapp.

House File 131

Commerce: Shull, Chair; Egenes and Dieleman.

House File 132

Commerce: Ritsema, Chair; Conlon and Jochum.

House File 133

State Government: Hoffmann, Chair; Hansen of O'Brien and Lloyd-Jones.

House File 135

Commerce: Johnson of Linn, Chair; Jesse and Shull.

House File 137

County Government: Danker, Chair; Connolly and Clark of Cerro Gordo.

House File 138

Transportation: Daggett, Chair; Lageschulte and Miller.

House File 140

County Government: Lageschulte, Chair; Binneboese and Branstad.

House File 141

Commerce: Crabb, Chair; Swearingen and Woods.

House File 143

County Government: Swearingen, Chair; Dieleman and Shull.

House File 144

Judiciary and Law Enforcement: Walter, Chair; Johnson of Howard and Rapp.

House File 145

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Welsh.

House File 146

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Smalley.

House File 147

Commerce: Johnson of Linn, Chair; Jesse and Shull.

House File 148

Agriculture: Tyrrell, Chair; Van Maanen and Halvorson of Webster.

House File 149

County Government: Swearingen, Chair; Gettings and Johnson of Linn.

House File 150

State Government: Stromer, Chair; Dieleman and Swearingen.

House File 151

State Government: Shimanek, Chair; Hinkhouse and Anderson of Audubon.

House File 157

Judiciary and Law Enforcement: Smalley, Chair; Lonergan and Pelton.

House File 158

State Government: Lura, Chair; Stromer and Dieleman.

House File 160

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

House File 162

Agriculture: Mullins, Chair; Corey and Chiodo.

House File 164

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Welsh.

House File 166

Judiciary and Law Enforcement: Ritsema, Chair; Welsh and Lloyd-Jones.

House File 169

Education: Lura, Chair; Maulsby and Lonergan.

House File 170

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 171

State Government: Hoffmann, Chair; Anderson of Audubon and Bina.

House File 177

State Government: Shimanek, Chair; Lloyd-Jones and Anderson of Audubon.

House File 178

State Government: Hibbs, Chair; Johnson of Woodbury and Lloyd-Jones.

House File 179

State Government: Lura, Chair; Hinkhouse and Johnson of Woodbury.

House File 181

State Government: Lageschulte, Chair; Crawford and Dieleman.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 15**

Labor and Industrial Relations: Tofte, Chair; Corey and Wells.

Study Bill 16

Labor and Industrial Relations: Menke, Chair; Holt and Connors.

Study Bill 48

Judiciary and Law Enforcement: Smalley, Chair; Lonergan and Pelton.

Study Bill 64

Judiciary and Law Enforcement: Holt, Chair; Walter and Ritsema.

Study Bill 65

Judiciary and Law Enforcement: Rapp, Chair; Hibbs and Pelton.

Study Bill 72

Transportation: Kirkenlager, Chair; Gettings and McKean.

Study Bill 74

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum and Connolly.

Study Bill 75

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum and Connolly.

Study Bill 76

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum and Connolly.

Study Bill 77

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

Study Bill 78

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum and Connolly.

Study Bill 79

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Welsh.

Study Bill 80

Judiciary and Law Enforcement: Doyle, Chair; Rapp and Clark of Cerro Gordo.

Study Bill 81

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Welsh.

Study Bill 82

Commerce: Pelton, Chair; Ritsema and Walter.

Study Bill 83

Commerce: Crabb, Chair; Bruner and Pope.

Study Bill 84

Commerce: Pelton, Chair; Ritsema and Walter.

Study Bill 85

Commerce: Pelton, Chair; Ritsema and Walter.

Study Bill 86

County Government: Hanson of Delaware, Chair; Howell and Swearingen.

Study Bill 87

County Government: Branstad, Chair; Doyle and Johnson of Howard.

Study Bill 88

County Government: Johnson of Linn, Chair; Welsh and Schnekloth.

Study Bill 89

Transportation: Schroeder, Chair; Hoffmann, Bennett, Davitt and Jay.

Study Bill 90

Energy: Ritsema, Chair; Pelton, Smalley, Doyle and Hullinger.

Study Bill 91

Cities: Poffenberger, Chair; Crabb, Diemer, Groth, Hall, O'Kane and Tyrrell.

Study Bill 92

Cities: Poffenberger, Chair; Crabb, Diemer, Groth, Hall, O'Kane and Tyrrell.

Study Bill 93

Cities: Poffenberger, Chair; Crabb, Diemer, Groth, Hall, O'Kane and Tyrrell.

Study Bill 94

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

Study Bill 111

County Government: Branstad, Chair; Welsh and Smalley.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 88, a bill for an act to exempt from the state sales and use tax the gross receipts from the sale of gasohol.

Recommended Amend and Do Pass.

H-3198

- 1 Amend House File 88 as follows:
- 2 1. Page 1, by striking lines 11 and 12.

Study Bill 2, relating to the licensing and regulations of the sale of eggs.

Recommended Do Pass.

COMMITTEE ON COUNTY GOVERNMENT

Study Bill 37, relating to providing court appointed attorneys for county officers under certain circumstances.

Recommended Do Pass.

COMMITTEE ON EDUCATION

Committee Bill (Formerly H.F. 48), a bill for an act relating to authorization for teaching.

Recommended Amend and Do Pass.

House File 60, a bill for an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

Recommended Do Pass.

AMENDMENTS FILED

H-3195	S.C.R. 3	Schroeder of Pottawattamie Harbor of Mills Halvorson of Clayton
H-3196	H.F. 53	Pope of Polk Doyle of Woodbury Schroeder of Pottawattamie
H-3197	H.F. 53	Doyle of Woodbury Schroeder of Pottawattamie
H-3199	H.F. 10	Jochum of Dubuque

On motion by Halvorson of Clayton the House adjourned at 4:38 p.m., until 10:00 a.m., Monday, February 5, 1979.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day — Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 5, 1979

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

Prayer was offered by the Reverend Charles Klink, pastor of the United Methodist Church, Bussey, Iowa.

The Journal of Thursday, February 1, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Daryl Doorenbos, LeMars, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Howard on request of Smalley of Polk; Danker of Pottawattamie on request of Harbor of Mills.

PRESENTATION OF VISITORS

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

Twenty-five fifth grade students from Elmwood Elementary School, Des Moines, Iowa, accompanied by Barbara James. By Pope of Polk, Jesse of Polk and Smalley of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Daggett of Taylor from two hundred three students of the ninety-sixth district; Doyle of Woodbury from seventy-eight students; Hall of Linn from fifty-six students of Wilkins Elementary School and seventy-seven students of Emerson Elementary School;

Jochum of Dubuque from five hundred seventy-seven students of Prescott School, Dubuque, Iowa, all favoring an act to designate the ladybug as the state insect and to declare the ladybug not be needlessly injured or killed in the state.

By Rapp of Black Hawk from one thousand four hundred fifty-six John Deere Credit union members favoring permanent share draft legislation.

INTRODUCTION OF BILLS

House File 204, by Cusack, a bill for an act authorizing cities and counties to levy a tax to promote, establish and maintain recreational, educational and other activities for senior citizens.

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

House File 205, by Cusack, a bill for an act to prohibit the public display of explicit sexual material and providing a penalty.

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

House File 206, by Cusack, a bill for an act relating to compensating victims of violent crime and providing a penalty.

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

House File 207, by Cusack, a bill for an act relating to the indemnification of private citizens who have suffered injury or damages or death in connection with the commission of a crime or the rescue of a person in immediate danger of death or injury.

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

House File 208, by Lageschulte, a bill for an act establishing a separate chapter of the Code dealing with minors and objectionable publications and shows and providing a penalty.

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

House File 209, by Bina, Cusack, Arnould, Gettings and Larsen, a bill for an act making an appropriation to provide funds to cities for the purpose of aiding in the payment of unexpected costs resulting from excessive snowfall.

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

House File 210, by Daggett, a bill for an act providing a tax exemption for property used in the manufacture of grain alcohol fuel.

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

House File 211, by Walter, Pavich, Bina and Gettings, a bill for an act relating to estimates of expenditure requirements submitted by state departments and establishments.

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

House File 212, by Walter and Pavich, a bill for an act relating to medical treatment of indigent patients in university hospitals in bordering states and providing funds for the treatment.

Read first time and referred to committee on **human resources**.

House File 213, by Cusack, a bill for an act relating to access to information by the citizens' aide.

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

House File 214, by Walter, a bill for an act requiring the identification of charges imposed by public utilities for the late payment of utility service bills.

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

House File 215, by Cusack, a bill for an act relating to the property tax exemption for property used to control air and water pollution.

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

House File 216, by Cusack and Bina, a bill for an act relating to the manner of electing members of local school district boards of directors.

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

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 on January 31, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 81, a bill for an act to permit the use of temporary signs to notify the public of community events.

FRANK J. STORK, Secretary

HOUSE RESOLUTION 11 By Hansen of O'Brien and Holt

1 *Whereas*, the city of Spirit Lake, Iowa is nearing the
2 centennial anniversary of its incorporation as a city; and
3 *Whereas*, the citizens of Spirit Lake, Iowa are preparing
4 for a centennial celebration June 17, 18, 19, 20, 21, 22, and
5 23, 1979, to commemorate the one-hundredth anniversary of the
6 city's incorporation; *Now Therefore*,
7 *Be It Resolved By The House Of Representatives*, That
8 the membership of the House of Representatives of the Sixty-
9 eighth General Assembly of the State of Iowa extends its
10 heartiest congratulations to the city of Spirit Lake, Iowa in
11 commemoration of the centennial anniversary of its incorpora-
12 tion in this year of 1979; and
13 *Be It Further Resolved*, That a copy of this resolution
14 be forwarded to the mayor and the citizens of Spirit Lake who
15 are in charge of making preparations for the centennial celebra-
16 tion.

Laid over under Rule 30.

REREFERRED TO COMMITTEE ON WAYS AND MEANS (House File 88)

Speaker Millen announced that **House File 88**, presently on the Regular Calendar, was rereferred to the committee on **ways and means**.

SPONSOR WITHDRAWN
(House Joint Resolution 1)

Jay of Appanoose requested to be withdrawn as a sponsor of House Joint Resolution 1.

COMMUNICATION FROM
DEPARTMENT OF TRANSPORTATION

There is on file in the office of the Chief Clerk a report from the Department of Transportation titled "Local Effort Study" pursuant to Section 25, House File 491, Chapter 1108 of the Acts of the Sixty-seventh General Assembly.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 116 Transportation

Designating the state department of transportation as the authorized agent to receive and disburse federal funds allocated to the state and its political subdivisions for transportation purposes.

S.B. 117 Labor and Industrial Relations

To limit the receiving of unemployment compensation benefits by requiring a one-week waiting period for eligibility for benefits and reducing the maximum benefits.

S.B. 118 Human Resources

Relating to complaints alleging violations of provisions relating to health care facilities.

S.B. 119 Human Resources

Relating to health examinations for marriage license applicants.

S.B. 120 Judiciary and Law Enforcement

To delete long-arm jurisdictional provisions in the Code, with the exception of rule of civil procedure fifty-six point two (56.2).

S.B. 121 Judiciary and Law Enforcement

Making procedure in discretionary reviews, criminal appeals, and postconviction relief appeals consistent with the rules of appellate procedure.

S.B. 122 Judiciary and Law Enforcement

Providing that it is an aggravated misdemeanor to operate a motor vehicle while barred as an habitual offender.

S.B. 123 Judiciary and Law Enforcement

To amend Chapter 692 of the Code 1977 Supplement, to conform with Title 28, Chapter 1, Part 20, of the Federal Rules and Regulations concerning the disclosure of criminal history and intelligence data.

S.B. 124 County Government

Relating to the annual registration of motor vehicles.

S.B. 125 Transportation

To provide for the chemical testing of certain persons involved in an accident in which a fatality occurs.

AMENDMENTS FILED

H-3200	H.F. 187	Johnson of Woodbury
H-3201	H.F. 43	Dieleman of Marion
H-3202	H.F. 43	Dieleman of Marion

On motion by Halvorson of Clayton the House adjourned at 10:12 a.m., until 9:00 a.m., Tuesday, February 6, 1979.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day—Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 6, 1979

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

Prayer was offered by Father Norman White, pastor of the Sacred Heart Catholic Church, Eagle Grove, Iowa.

The Journal of Monday, February 5, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Brian Heineman, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

PETITIONS FILED

The following petitions were received and placed on file:

By Brandt of Black Hawk, from nine hundred fifty-one constituents and Lind of Black Hawk, from nine hundred fifty-one constituents of district 33, all favoring permanent share draft legislation.

By De Groot of Lyon, from one hundred thirteen constituents of district 1 and Miller of Buchanan, from three hundred forty-one constituents, all favoring the designation of the ladybug as the official state insect of Iowa.

ADOPTION OF HOUSE RESOLUTION 6

Pursuant to House Rule 31, the Speaker announced that House Resolution 6, congratulating Dave Keller of Simpson College, filed on January 25, 1979 and found on page 350 of the House Journal, was adopted by unanimous consent.

INTRODUCTION OF BILLS

House File 217, by Pelton, Hullinger, Perkins, Lloyd-Jones, Poffenberger, Bruner, Crawford, Stromer, Hinkhouse, Shull, Evans,

Smalley and Bina, a bill for an act to provide for a bipartisan commission to prepare plans for the reapportionment of the general assembly and the redrawing of congressional districts following the 1980 federal decennial census, and succeeding decennial censuses.

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

House File 218, by Pelton, a bill for an act to provide that certain hearings and meetings conducted for public collective bargaining purposes be open to the public, and subjecting violators to damages and other remedial actions.

Read first time and referred to committee on **labor and industrial relations**.

House File 219, by Hansen of O'Brien, Dieleman, Hinkhouse, Binneboese, Howell, Tyrrell, Johnson of Linn, Maulsby, Ritsema, Lind, Poffenberger, Hoffmann, Holt, Evans, Tofte, Hullinger and De Groot, a bill for an act relating to the appeal to the Iowa beer and liquor control department by liquor control licensees or beer permittees or by liquor control license applicants or beer permit applicants.

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

House File 220, by Cusack, a bill for an act to repeal bounties on certain wild animals.

Read first time and referred to committee on **natural resources**.

House File 221, by Pope, a bill for an act to establish a county finance committee and specify its powers and duties.

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

House File 222, by Daggett, a bill for an act making an appropriation from the general fund of the state to the Iowa development commission for the promotion of a gasohol plant in the state of Iowa.

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

House File 223, by Pelton, a bill for an act to require that petitions for a permit to construct, maintain and operate a pipeline or underground gas storage facility include a statement of the effect of the project on the land.

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

House File 224, by Wells, O'Kane, Johnson of Howard and Diemer, a bill for an act relating to fishing with hook and line and with trotlines.

Read first time and referred to committee on **natural resources**.

House File 225, by committee on agriculture, a bill for an act relating to the licensing and regulations of the sale of eggs.

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

House File 226, by Krewson, a bill for an act providing for the inclusion in health insurance policies of benefits for the treatment of mental and nervous disorders.

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

House File 227, by Shimanek, a bill for an act requiring a parent, guardian or custodian, if financially able, to pay in whole or in part for the employment of counsel for his or her child pursuant to child in need of assistance and family in need of assistance proceedings.

Read first time and referred to committee on **human resources**.

House File 228, by Menke, a bill for an act relating to the rate of unemployment compensation contributions for employers newly subject to contribution requirements or free from chargeable benefit payments.

Read first time and referred to committee on **labor and industrial relations**.

SENATE MESSAGE CONSIDERED

Senate File 81, a bill for an act to permit the use of temporary signs to notify the public of community events.

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

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 on February 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 101, a bill for an act relating to registration and licensing of certain vehicles.

FRANK J. STORK, Secretary

HOUSE CONCURRENT RESOLUTION 9

By Halvorson of Clayton and Avenson

- 1 *Be It Resolved by the House, the Senate Concurring, That*
 2 a joint convention of the two houses of the Sixty-eighth General
 3 Assembly be held in the House chamber on Monday, February 12,
 4 1979, at 11:30 a.m.
 5 *Be It Further Resolved, That George Mills, WHO TV News*
 6 Reporter and Iowa Historian, be invited to deliver an address
 7 to the joint session in observance of Lincoln's birthday.

Laid over under Rule 30.

HOUSE RESOLUTION 12

By Tyrrell

- 1 *Whereas, the city of North English, Iowa is nearing the*
 2 125th anniversary of its founding as a city; and
 3 *Whereas, the citizens of North English, Iowa are pre-*
 4 *paring for a celebration July 27 and 28, 1979, to commemorate*
 5 *the one hundred twenty-fifth anniversary of the city's founding*
 6 *and*
 7 *Whereas, the celebration is to coincide with the Annual*
 8 *Creamery Picnic; Now Therefore,*
 9 *Be It Resolved by the House of Representatives, That*
 10 the membership of the House of Representatives of the Sixty-
 11 eighth General Assembly of the State of Iowa extends its
 12 heartiest congratulations to the city of North English, Iowa in
 13 commemoration of the 125th anniversary of its founding in this
 14 year of 1979; and
 15 *Be It Further Resolved, That a copy of this resolution be*
 16 forwarded to the mayor and the citizens of North English, Iowa
 17 who are in charge of making preparations for the 125th anniver-
 18 sary celebration.

Laid over under Rule 30.

On motion by Halvorson of Clayton the House was recessed until 10:45 a.m.

The House reconvened, Speaker Millen in the chair.

COMMITTEE TO NOTIFY THE SENATE

Welden of Hardin 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 Welden of Hardin, Brandt of Black Hawk and Shull of Warren.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Welden of Hardin, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that it 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 in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 5 duly adopted, the joint convention was called to order, President Branstad presiding.

Senator Hultman 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 Branstad announced a quorum present and the joint convention duly organized.

Senator Hester moved that a committee of six, consisting of three members from the Senate and three members from the House be appointed to escort Governor Robert D. Ray to the House chamber for the State of the Judiciary Message.

The motion prevailed and the President appointed as such committee Senators Hester of Pottawattamie, Gratius of Floyd and Orr of Poweshiek, on the part of the Senate, and Representatives Clark of Lee, Diemer of Black Hawk and Oxley of Linn, on the part of the House.

The Justices of the Supreme Court and the Judges of the Appellate Court were escorted into the House chamber.

Senator Kudart moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Chief Justice W. W. Reynoldson that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Kudart of Linn, DeKoster of Sioux and Scott of Pocahontas, on the part of the Senate, and Representatives Shimanek of Jones, Dieleman of Marion and Pope of Polk, on the part of the House.

The committee waited upon Governor Robert D. Ray and escorted him to the Speaker's station.

The committee waited upon Chief Justice W. W. Reynoldson and escorted him to the Speaker's station.

President Branstad then presented Chief Justice W. W. Reynoldson who delivered the following State of the Judiciary Message:

GOVERNOR RAY, LIEUTENANT GOVERNOR BRANSTAD, SPEAKER MILLEN, MEMBERS OF THE SIXTY-EIGHTH GENERAL ASSEMBLY, AND FELLOW IOWANS:

This occasion is historic. For the first time in all one hundred thirty-two years of Iowa state government the head of the judicial branch of government appears in these chambers to report directly to the entire legislative branch.

We are here under the mandate of Chapter 1182 of the acts of the 1978 Regular Session of the Sixty-seventh General Assembly. More than half the states now have

such statutes. Your enactment provides the chief justice of the supreme court shall submit a message to the general assembly and recommend such matters as we deem appropriate. And while the duty imposed is mandatory in nature, we want you to know we would have been here just as enthusiastically had we merely been invited. We appreciate this opportunity for direct communication with you.

Article III of our Constitution teaches us the powers of government are divided among the legislative, executive and judicial branches, and that one branch may not exercise functions belonging to either of the others. Yet we all know the three branches are inexorably interdependent. To serve Iowa's citizens these three separate and coequal branches must complement and support each other in many ways.

In their adjudicative function the courts must be independent of the legislative branch. But the end product of your deliberations has a direct impact, statewide, in our courtrooms. You enact the substantive laws judges apply in deciding the controversies which come before them. Your statutes also determine matters of jurisdiction, venue, court structure, court operating budgets, salaries, and those other factors which, carefully structured, ensure the success and viability of a judicial system.

You have a heavy responsibility. Whatever we can furnish by way of information or recommendation is available to you, not only on these formal occasions but at all times.

IOWA'S JUDICIAL STRUCTURE

We begin this report with an overview of our judicial structure. Here the Iowa legislature, the Governor, the judiciary, and the Iowa voters who endorsed necessary constitutional amendments have earned well-deserved praise for accomplishments of recent years. When we attend national seminars and conferences of judicial officers, we learn many states are still striving for reforms already reached here. Some of these are:

1. One Unified State Court System

Numerous states still struggle with the complexities of state courts, county courts, municipal courts, mayors' courts and police courts. Often the judicial structure is balkanized into autonomous special interest courts: land courts, equity courts, law courts, family courts, probate courts and others. The result is often maladministration, overlapping jurisdiction, loss of flexibility, unsupervised operations, duplication of staff and facilities, and a waste of taxpayers' dollars.

Thanks to a forward-looking legislature, these problems are consigned to Iowa's past.

2. A Modern Procedure For Judicial Selection And Tenure

Iowa has been among the leaders in recognizing that judges should be selected on merit and should stand for retention on their record. The fate of an Iowa judge at the polls no longer turns on partisan issues upon which he or she never had a

chance to vote. Nor are judges exposed to the stress caused by campaign contributions from the very lawyers and litigants whose cases they must decide. We have been able to attract fine attorneys to the bench who, under the former system, would have dismissed the idea out of hand.

3. An Intermediate Appellate Court

Many of you were directly involved in the creation of our Iowa Court of Appeals. Then we were deep in a quagmire of long-delayed appeals: Without the appeals court the situation would now be utterly hopeless.

Many other reforms could be cited. These improvements have been made possible by close cooperation between the legislature, judiciary, and Chief Executive. Surely the Iowa citizens who have been the beneficiaries of these and other reforms and innovations must thank you. And of course they deserve our best collective efforts.

Now let us turn briefly to each Iowa court.

SUPREME COURT

The burdens of the supreme court have grown heavier in each of the eight years I have served on this bench. Formal disposition of appeals by written decision composes only part of our duties. Yet these written opinions have grown in volume from two hundred forty in 1971 to three hundred fifty-seven in 1978, an increase of forty-nine percent. Let me briefly refer to a few of our other duties.

There is an unending stream of applications for interlocutory appeal, petitions for certiorari, and various motions which require consideration by our justices. In 1978 these filings resulted in three thousand thirty-five rulings.

In addition, the Iowa Constitution, Article V, Section 4 as amended, charges the supreme court with the supervisory and administrative control of all other state courts. The necessary policy decisions command the daily attention of each member of our court. In this we have the support and advice of the Judicial Council, comprised of the chief judges from Iowa's eight judicial districts.

By the Iowa Constitution, by statute, and by inherent judicial power, we are charged with the responsibility of disciplining lawyers and judges. While these unfortunate incidents are comparatively few in number, by the gravity with which we view them they occupy a disproportionate amount of supreme court time.

We think our court has shown the flexibility necessary to cope with changing conditions. In recent years we were the second court in the nation to require lawyers and judges—including ourselves—to participate annually in continuing legal education. Our rules and practices for a lawyer-financed client security fund are studied and emulated across the nation. Our pioneering rules for audit of attorney trust accounts were the first in the United States. In all these endeavors we have had the wholehearted assistance and support of the Iowa State Bar Association and most Iowa lawyers.

By statute you have authorized us to formulate and file with you rules in various areas—Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Juvenile Procedure, and Rules of Civil Procedure for Involuntary Hospitalization. We have appointed committees to assist in these duties, but because the ultimate responsibility is ours alone, members of our court in the last few months have spent untold hours at these tasks. We now have filed proposed rules in all these categories except Rules of Juvenile Procedure.

We appoint and work not only with the above committees, but with the Board of Law Examiners, Board of Examiners of Shorthand Reporters, Client Security and Attorney Disciplinary Commission, Commission on Continuing Legal Education, Grievance Commission, Juvenile Probation Officers Training Committee, Judicial Planning Committee, Probate Rules Committee, and others.

Because our court believes delay and cost of litigation remains a major problem, we recently appointed a blue-ribbon Litigation Costs Study Committee, composed of nineteen lay persons, judges, and lawyers, and chaired by former Chief Justice C. Edwin Moore. This task force will report next October and we should have statutory and rule reforms to recommend for your 1980 session.

A number of you have asked how we are progressing on our backlog of appeals. In December 1976, before the court of appeals commenced operation, a civil litigant who had filed all papers and briefs had to wait seventeen months before the appeal was heard by the supreme court. Today that delay is only three months. A sobering footnote to this good news is that the number of appeals increased twenty-one percent in 1978. Despite the efforts of both courts, there were eight, hundred eighty appeals pending in the supreme court at the end of 1978, thirty-two more than at the end of 1977. Of course, we have no control over the number of cases which are appealed. However, if this trend continues it will be necessary to consider increasing the number of judges on our court of appeals.

IOWA COURT OF APPEALS

Our five-judge Iowa Court of Appeals disposed of three hundred twenty-nine appeals in 1977 and three hundred eighty-two in 1978. Many of you know the act creating that court provides all appeals are to the supreme court. The justices screen these appeals and deflect a variety of important cases to the court of appeals. However, under our Rules of Appellate Procedure we retain certain cases, including those involving substantial questions of the constitutionality of statutes or substantial issues of first impression, attorney discipline cases, and criminal cases in which life imprisonment has been imposed.

IOWA DISTRICT COURT

In 1972, with foresight and good judgment, the Iowa legislature integrated the state's trial courts into one "Iowa District Court." Mayors' courts, justice of the peace courts, police courts, superior courts and municipal courts were abolished effective July 1, 1973. Municipal judges were brought into the system as district associate judges. The other judicial officers were replaced with full and part-time magistrates. This was a large step in the right direction.

Under your own statutory judgeship formula for creating district court positions to cope with increases in case filings and population, the 1978 statistics call for one hundred four district judges. However, by your 1977 freeze statute the number is fixed at ninety-two. There are now thirteen district associate judges, twenty-six full-time judicial magistrates and one hundred sixty-eight part-time judicial magistrates.

The trial courts grapple with a massive caseload that has increased fifty-two percent in the last four years. Criminal cases have soared over forty-two percent while regular civil and juvenile cases have increased twenty-nine percent and thirteen point five percent respectively since 1974. Under the new criminal code, scheduled violations handled by district court clerks have increased a whopping fifty-eight percent in one year. Our statistics disclose Iowa's trial courts disposed of almost one-half million legal matters in 1978. Despite this record, the number of pending matters in every category was larger at the year's end, evidencing a backlog which delays justice for our litigants—your constituents.

The judge power problem was not diminished by the supreme court's 1975 supervisory order which required at least a half day of court service per week in every county. Nonetheless, we reasoned Iowans who live in rural areas should not be second-class citizens in terms of access to the justice system. We should provide judicial services to people where they live, just as we provide all other vital government services. These court service days ordinarily encompass a broad spectrum of legal business including probate hearings and orders, criminal arraignments and plea hearings, motions, uncontested marital dissolutions, defaults, and juvenile matters.

The solution to this problem necessarily involves a realistic look at your freeze statute in light of current case filings. Twelve more district judges involve an annual cost of approximately \$540,000. But some of this judge power might be supplied by the plan we now recommend.

RECOMMENDATIONS

We recommend that you enact the Senior Judge Bill proposed by the Iowa Judges Association and the Governor. This proposed legislation is presently before you. As you may know, under this bill a retired judge who remains fit and able may elect to take senior judge status. This means the retired judge must agree to give thirteen weeks' service per year. A senior judge may work until age seventy-eight unless sooner retired by the supreme court for permanent disability. The senior judge would receive no pay other than the retirement compensation he or she has already earned. Some of these judges will be able to withstand the emotional, mental, and physical pressures of a full trial schedule. Others may be assigned to handle those court service days, and thus free younger judges to try more demanding cases. These senior judges also will plug those gaps caused by vacation and illness.

What does the senior judge get out of this? His or her retirement compensation will be recomputed on the current salary of the office from which he or she retired. The plan merely provides some protection against inflation. The projected cost to Iowa in the first year is only \$38,537.

The Association-sponsored bill has the solid support of each member of the supreme court and the court of appeals. Our poll of district judges showed ninety per-

cent approved of this legislation. It will provide indispensable legal services at a minimal cost—a bargain for the litigants and taxpayers of Iowa. We recommend its adoption.

We also recommend our joint study and your ultimate adoption of legislation which would minimally accomplish these goals:

1. Centralization of state funding of all operations of the judicial system with a concomitant, consolidated budget procedure;
2. Bringing all persons who serve the judicial department, including the district court clerks, under the administration of the department; and
3. Consolidation of the various statutory provisions affecting judicial administration, organization, personnel, and funding into one title or area of the code.

This is not a new concept. It has been proposed by legislators in various forms. In 1977 it appeared as Senate File 410. There are a number of concepts in that proposal which even its sponsor questions, but it furnishes a basis for continued study.

Ours is a state court system. It is anomalous that we still require local units of government—the counties—to finance part of its operations. District court clerks, juries, probation officers, court reporters, and court administrators are a charge upon the counties. We have ninety-nine purchasing agents for state court supplies. County supervisors cannot budget for the court fund when a major crime committed by strangers may result in thousands of dollars of litigation cost overrun. The court fund is a source of tension between the judicial branch, represented by state court judges, and the legislative branch, represented by the county supervisors. This situation sours relationships and drains the energies of both judges and local officers.

We have heard much about providing local property tax relief. While those concerns are within your jurisdiction, I suggest there is no more logical method of providing local property tax relief than for the state to assume responsibility for complete financing of the state court system. Operations of the judicial branch presently cost only six-tenths of one percent of the total state budget. If the state assumes the remaining cost now burdening the counties, roughly estimated at \$30,000,000, the transfer could be phased in over several years. Should the state take over all of the approximately \$18,000,000 in receipts generated by the judicial department, the state's burden would be diminished. Of course, there also would be some diminution of the potential relief from local property taxes.

Other states, most recently Kansas and Minnesota, have moved into the lead in this reform. Local government can no longer afford state courts. Let us commit ourselves—the legislative and judicial branches—in a joint venture to do something about it.

Time does not permit us to discuss adequately other recommendations. We will be in touch with your committees whose responsibilities encompass these concerns:

1. **Judicial Nominating Commissioners**

Members of the Judicial Nominating Commission screen candidates for judgeships and submit nominees for vacancies. This is a vital and often time-consuming duty. We think it simply has been an oversight that you have not provided these commissioners be reimbursed for their mileage, meals and lodging while on state business attending commission meetings. We recommend such reimbursement be provided.

2. **Appellate Rules**

We recently met with majority and minority members of your judiciary committees and suggested several technical amendments to statutes which would enable the supreme court, by rule, to conform appellate rules in civil and criminal cases. We recommend adoption of these amendments.

3. **Worker's Compensation Case Backlog**

Although this agency is not part of the judicial system, it adjudicates controversies which enter district court for judicial review. Total cases filed with the commissioner in 1978 were fifty-one point eight percent over 1976. The agency is understaffed for this workload. Dispositions are unavoidably delayed to the prejudice of employees and employers.

4. **Judicial Salaries**

Two years ago you brought the judiciary's pay scale into balance with the work and responsibilities imposed on our judges and the need to attract and keep qualified personnel. Your good efforts already have been sapped by two years of inflation — nine percent in 1978 alone. We believe you will see the need to make up part of this loss by adjustments within the guidelines established by President Carter.

5. **Commission on Judicial Qualifications**

This commission of four lay persons, two lawyers and one judge investigates complaints about judges and makes disciplinary recommendations to the supreme court. It performs an important function. The commission deserves a permanent staff person who could also follow up on complaints. Its jurisdiction should be extended to include complaints against magistrates.

6. **Magistrate Courts**

These courts of limited jurisdiction are generally courts of first, general, and lasting impression. Statistics show an Iowan is four times more likely to appear before a part-time or substitute magistrate than before a full-time judge or magistrate. As most Iowans have their sole experience with the judicial system in these courts, they should not be required to appear in a hallway or abandoned closet. They

should not be confronted with overburdened and harassed judges. Ideally, judges handling these matters should be full-time district judges with the highest qualifications and salary. Pragmatically, it may be some time before you see the wisdom of that goal. Therefore, together we should study ways and means of upgrading these courts.

CONCLUSION

In closing, I ask for your special consideration of the unique situation of the judicial branch. We have little control over the massive load of litigation deposited before our benches. New areas of law have been generated by the United States Supreme Court's redefinition and enforcement of rights under the Federal Constitution—the supreme law of the land. Your new legislation arising from problems you recently have addressed inevitably brings us constitutional challenges and problems of interpretation. Over fifty-two percent of our 1978 decisions presented issues of statutory interpretation or constitutionality. We are confronted with expanding areas of judicial responsibility: consumer law, products liability, malpractice legislation, environmental law, civil rights law, prisoner's rights cases. We are now attempting to cope with a wave of appeals arising out of the Public Employment Relations Act.

These controversies cannot be resolved by programming a computer. We have innovated and will attempt still further innovations to provide economy of resources and judge-time. But in the final analysis, evidence and arguments must be patiently heard at the trial level—by judges. On the appellate level trial transcripts and briefs must be studied—by judges. In all courts there must be time allotted for research, for deliberation, and for the exercise of careful judgment.

To any extent this branch of government cannot obtain resources to fulfill our function, the public's confidence in courts is further eroded. The implications are far reaching, for we have yet to come to the end of this experiment in self-government launched with the American revolution. Inside our boundaries are enormous tensions which must find release in some forum, or perhaps, in some street. Outside we are challenged by ideologies at war with the spirit of the Declaration of Independence. All will not turn on the courts, but if the courts fail, the rest is in doubt.

We ask your support for our programs and pledge full cooperation in your efforts to help us. We thank you now for your consideration and the opportunity to communicate directly with you this morning.

Chief Justice W. W. Reynoldson was escorted from the House chamber by the committee previously appointed.

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

Halvorson of Clayton moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

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

Fifty-six sixth grade students from Dallas Elementary School, Dallas, Iowa, accompanied by John Wissink. By Shull of Warren.

UNANIMOUS CONSENT CALENDAR (House Resolution 11)

We hereby request that House Resolution 11, filed on February 5, 1979 and found on page 450 of the House Journal, be placed on the unanimous consent calendar.

HANSEN of O'Brien
HOLT of Clay
WELDEN of Hardin

REPORT OF HOUSE ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, your committee on administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
House Clerk	Florence D. Buhr	13/3 to 15/3	I—FT	1/19/79
House Clerk	Beverley J. Gettings	13/1 to 15/1	I—FT	1/19/79
House Clerk	Sheryl B. Millen	13/2 to 15/2	I—FT	1/19/79

DAGGETT of Taylor, Chair

SPONSOR ADDED
(House File 193)

Thompson of Polk requested to be added as a sponsor of House File 193.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 126 Commerce

To set a time limit on the prohibition of charges by telephone companies for telephone directory assistance.

S.B. 127 Commerce

To amend the section relating to change of rates—hearing.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 3:00 p.m., February 5, 1979

Convened: 3:00 p.m.

Adjourned: 4:30 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Arnould, Conlon, Corey, Doyle, Hibbs, Holt, Jesse, Johnson of Howard, Lloyd-Jones, Lonergan, Maulsby, Pelton, Rapp, Smalley, Walter and Welsh.

Absent: Clark of Cerro Gordo (arrived 3:05 p.m.) and Patchett.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 2, a bill for an act increasing the maximum lending limit of a small loan company to two thousand dollars.

Recommended Amend and Do Pass.

Fiscal note is not required.

H-3203

1 Amend House File 2 as follows:

- 2 1. Page 1, line 8, by striking the word "two"
3 and inserting in lieu thereof the word "three".
4 2. Page 1, line 18, by striking the word "two"
5 and inserting in lieu thereof the word "three".
6 3. Page 1, by inserting after line 29 the following
7 new section:
8 "Sec. 2. Section five hundred thirty-six point
9 thirteen (536.13), subsection four (4), Code 1979,
10 is amended to read as follows:
11 4. Beginning ~~July 4, 1965~~ January 1, 1980, and
12 until such time as a ~~different~~ lower rate is fixed
13 by the board, the maximum rate of interest or charges
14 upon such class or classes of small loans shall be
15 three two and three-fourths percent per month on any
16 part of the unpaid principal balance of the loan not
17 exceeding ~~one two~~ two hundred fifty dollars and two percent
18 per month on any part of the loan in excess of ~~one~~
19 two hundred fifty dollars, but not exceeding three
20 four hundred dollars, and one and one-half percent
21 per month on any part of the unpaid principal balance
22 of the loan in excess of ~~three four~~ three hundred dollars,
23 but not exceeding ~~seven hundred two thousand~~ two thousand dollars,
24 and one ~~and one-fourth~~ and one-fourth percent per month on any part
25 of the unpaid principal balance of the loan in excess
26 of ~~seven hundred two thousand~~ two thousand dollars."
27 4. Page 1, line 34, by striking the word "two"
28 and inserting in lieu thereof the word "three".
29 5. Page 2, line 13, by striking the word "two"
30 and inserting in lieu thereof the word "three".
31 6. Amend the title, line 2, by inserting after
32 the word "dollars" the words "and changing the maximum
33 interest rates that may be charged on such loans".

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 166), a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H-3204	H.C.R. 7	Halvorson of Clayton
H-3205	H.F. 43	Hinkhouse of Cedar
H-3206	H.F. 43	Danker of Pottawattamie
		Binneboese of Plymouth
H-3207	H.F. 43	Miller of Buchanan
H-3208	H.F. 161	Tyrrell of Iowa
H-3209	H.F. 169	Schnekloth of Scott
H-3210	S.C.R. 3	Harbor of Mills
		Halvorson of Clayton
		Schroeder of Pottawattamie
		Pope of Polk
H-3211	H.F. 43	De Groot of Lyon
		Ritsema of Sioux
		Branstad of Winnebago

On motion by Halvorson of Clayton, the House adjourned at 11:43 a.m. until 9:00 a.m., Wednesday, February 7, 1979.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day—Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 7, 1979

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

Prayer was offered by the Reverend Joel Andrus, pastor of the Martensdale Community Church, Martensdale, Iowa.

The Journal of Tuesday, February 6, 1979 was approved.

PRESENTATION OF VISITORS

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

Thirty-two junior and senior students from Carroll High School, Carroll, Iowa, accompanied by Sandy Hood. By Perkins of Greene.

PETITIONS FILED

The following petitions were received and placed on file:

By Anderson of Audubon from one hundred eleven students of Guthrie Center Elementary and Gray Elementary Schools; Crawford of Story from twenty-four members of the sixth grade class, Kelley Elementary School, Kelley, Iowa and one hundred students of Northwood Elementary School and Lonergan of Boone from forty-two residents, all favoring the resolution that the ladybug should be designated the state insect.

By Clark of Cerro Gordo from thirty-nine members of the staff of Nora Springs-Rock Falls Community School, Nora Springs, Iowa, favoring introduction of a bill giving Dr. Benton, State Superintendent of Schools, the authority to shorten the 1978-79 school year because of extraordinary weather.

INTRODUCTION OF BILLS

House File 229, by Schroeder, a bill for an act exempting from the state income tax money received as retirement or disability pay by a former member of the armed forces who is sixty years of age or older during the tax year.

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

House File 230, by Schroeder, a bill for an act repealing the sales, services and use tax on services relating to the storage warehousing of raw agricultural products.

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

House File 231, by Cusack, a bill for an act relating to variable rate schedules used by public utilities in the sale of electricity.

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

House File 232, by Gettings, a bill for an act to exempt certain veterans from the requirement of having a hunting or fishing license.

Read first time and referred to committee on **natural resources**.

House File 233, by Bruner, Jochum, Brandt, Halvorson of Webster and Lloyd-Jones, a bill for an act to appropriate funds to the department of social services for the purpose of making state supplementary assistance payments to certain, additional federal supplementary security income recipients and their dependents.

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

House File 234, by Pelton, a bill for an act relating to creation of solar energy easements.

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

House File 235, by Halvorson of Clayton, a bill for an act relating to the establishment of a force of reserve peace officers for a city, county or the state of Iowa.

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

House File 236, by Menke and Lageschulte, a bill for an act to exempt interest and dividends received from the securities of a state and its political subdivisions from the state personal and corporate income taxes.

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

House File 237, by Pelton, a bill for an act relating to the routing of pipelines.

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

House File 238, by Smalley, Cusack, Stromer, Harbor, Hibbs, Hansen of O'Brien, Jochum, Crabb, Hullinger and Miller, a bill for an act providing for the licensing of occupational therapists and occupational therapy assistants and subjecting persons to penalties.

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

House File 239, by Perkins, a bill for an act to prohibit the practice of requiring the giving of a telephone number as a condition of accepting a check for cash or payment of a purchase.

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

House File 240, by Diemer, Hummel, Johnson of Howard, Evans, Lura, Swearingen, Tyrrell, O'Kane, Groth, Shull, Hibbs, Menke, Hall, McKean, Bennett, Johnson of Linn, Hansen of O'Brien and Pelton, a bill for an act to provide for the direct automatic deposit of monthly benefit payments issued to persons retired under the Iowa public employees' retirement system.

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

House File 241, by Shimanek, Pope, Jesse, Lind, Anderson of Audubon, Bennett, Shull, Jochum, Connors, Bruner, Branstad, Conlon, Corey, Danker, De Groot, Diemer, Hansen of O'Brien, Horn, Walter, Pavich, Chiodo, Smalley, Patchett, Doyle, Krewson, Harbor, Holt, Johnson of Howard, Johnson of Linn, Johnson of Woodbury, Lageschulte, Larsen, Maulsby, Menke, Pellett, Pelton, Poffenberger, Schnekloth, Swearingen, Tyrrell, Clark of Cerro

Gordo, Tofte and Thompson, a bill for an act relating to liability insurance, and providing that a joint underwriting association be established to assure that manufacturers and sellers of quality products may be insured, providing that companies writing liability insurance for Iowa manufacturers, doctors, lawyers, counties, municipal corporations, the state of Iowa, independent insurance agents, automobile owners, or school districts, shall report annually specified information relating to claims, premiums, income and expense ratios, and other matters pertaining to the costs of writing these types of insurance, and providing that products liability insurance coverage cannot be cancelled or not renewed, and that the premiums for products liability insurance coverage cannot be increased, except after prior notice to the insured.

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

SENATE MESSAGE CONSIDERED

Senate File 101, a bill for an act relating to the registration and licensing of certain vehicles and manufacturers of vehicles by providing a registration fee schedule for ambulances, motor homes, and multipurpose vehicles, by defining a manufacturer of motor vehicles, by licensing certain persons manufacturing, distributing, and wholesaling motor vehicles, subject to penalties provided by law.

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

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 on February 1, 1979, adopted the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 1, requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Also: That the Senate has on February 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 70, a bill for an act to establish a senior judge system.

FRANK J. STORK, Secretary

ADOPTION OF HOUSE RESOLUTION 7

Pursuant to House Rule 31, the Speaker announced that House Resolution 7, congratulating the city of Hartley, filed on January 30, 1979 and found on page 392 of the House Journal, was adopted by unanimous consent.

On motion by Halvorson of Clayton the House was recessed until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cusack of Scott for the afternoon session and February 8, on request of Cochran of Webster.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 9'

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 9, relating to a joint convention in observance of Lincoln's birthday, filed on February 6, 1979 and found on page 456 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Harbor of Mills called up for consideration Senate Concurrent Resolution 3, providing for the joint rules of the Sixty-eighth General Assembly, filed on January 15, 1979 and found on pages 122 through 130 of the House Journal.

Harbor of Mills offered the following amendment H-3154 filed by the committee on rules:

H-3154

- 1 Amend Senate Concurrent Resolution 3 as follows:
 2 1. Page 3, line 15 by striking the word "the"
 3 and inserting in lieu thereof the word "that".
 4 2. Page 11 by inserting after line 33 the
 5 following:
 6 "4. Rule 18 shall not apply to concurrent or
 7 simple resolutions, senate confirmations, or bills
 8 passed by both houses in different form prior to
 9 being sent to a conference committee."

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H-3195, to amendment H-3154, filed by Schroeder, et al., on February 1, 1979.

Harbor of Mills offered the following amendment H-3210, to amendment H-3154, filed by Harbor, et al., and moved its adoption:

H-3210

- 1 Amend amendment H-3154, to page 3 of Senate
 2 Concurrent Resolution 3, as follows:
 3 1. Page 1, by inserting after line 3 the
 4 following:
 5 " Page 10, line 18, by inserting after the
 6 second word "bills," the following: "bills or joint
 7 resolutions co-sponsored by the majority and minority
 8 floor leaders, companion bills sponsored and intro-
 9 duced by the senate majority leader and the house
 10 majority leader beginning with the 16th week of the
 11 first session and beginning with the 14th week of the
 12 second session,"
 13 . Page 11, line 4, by inserting after the
 14 second word "bills," the following: "bills or joint
 15 resolutions co-sponsored by the majority and minority
 16 floor leaders, companion bills sponsored and intro-
 17 duced by the senate majority leader and the house
 18 majority leader beginning with the 16th week of the
 19 first session and beginning with the 14th week of the
 20 second session,"
 21 . Page 11, line 26, by inserting after the
 22 word "house" the words "and unfinished business".
 23 . Page 11, by striking lines 29 through 33
 24 and inserting in lieu thereof the following: "other
 25 house and unfinished business. Beginning with the
 26 16th week of the first session and beginning with
 27 the 14th week of the second session, each house will
 28 consider only appropriations bills, ways and means
 29 bills, or joint resolutions co-sponsored by the

- 30 majority and minority floor leaders, companion bills
 31 sponsored and introduced by the senate majority leader
 32 and the house majority leader, claims report, bills
 33 coming from conference committee, and unfinished
 34 business."
 35 2. Page 1, line 9 by inserting after the word
 36 "committee" the following: ", claims report".

Roll call was requested by Anderson of Jasper and Cochran of Webster.

On the question "Shall amendment H-3210, to amendment H-3154, be adopted?"

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

The nays were, 37:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Jay	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Welsh			

Absent or not voting, 7:

Arnould	Cusack	Jesse	Larsen
Welden	Wells	Woods	

Amendment H-3210 was adopted.

Conlon of Muscatine asked and received unanimous consent to be recorded as voting "aye" on amendment H-3210 and the vote was so recorded.

Harbor of Mills moved the adoption of amendment H-3154, as amended.

A non-record roll call was requested.

The ayes were 55, nays 33.

Amendment H-3154, as amended, was adopted.

Harbor of Mills moved the adoption of Senate Concurrent Resolution 3.

Roll call was requested by Harbor of Mills and Schroeder of Pottawattamie.

Rule 80 was invoked.

On the question "Shall the resolution be adopted?" (S.C.R. 3)

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Davitt	Dieleman	Doyle	Gettings

Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh		

Absent or not voting, 2:

Cusack Woods

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(Senate Concurrent Resolution 3)

Harbor of Mills asked and received unanimous consent to immediately message Senate Concurrent Resolution 3 to the Senate.

**ADOPTION OF REPORT OF
COMMITTEE ON ETHICS**

Lind of Black Hawk called up for consideration the report of the committee on ethics filed on January 29, 1979 and found on pages 384 through 386 of the House Journal and moved its adoption.

The motion prevailed and the report of the committee on ethics was adopted.

ADOPTION OF HOUSE RESOLUTION 8

Lind of Black Hawk called up for consideration House Resolution 8, providing for House rules governing lobbyists, filed on January 31, 1979 and found on pages 402 through 404 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 108, a bill for an act making a corrective amendment to section seven (7) of House File five hundred forty-five (545)

enacted during the 1978 Session of the General Assembly, relating to the purchase by the risk management division of insurance for the board of regents, was taken up for consideration.

Conlon 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. 108)

The ayes were, 96:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger,	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzo	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Arnould	Chiodo	Cusack	Evans
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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 153, a bill for an act making a technical correction to the chapter on termination of parental rights, was taken up for consideration.

Anderson of Audubon 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. 153)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Chiodo	Cusack	De Groot	Hinkhouse
Perkins	Poffenberger		

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

House File 95, a bill for an act to clarify the notice of adoption hearing provision in the Code, with report of committee recommending amendment and passage was taken up for consideration.

Mullins of Kossuth offered amendment H-3181 filed by the committee on human resources on January 30, 1979 and found on page 395 of the House Journal and moved its adoption.

Amendment H-3181 was adopted.

Mullins of Kossuth 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. 95)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenlager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Rifsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Chiodo	Cusack	Danker	Walter
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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 64, a bill for an act providing that rules and forms submitted by the supreme court to the general assembly shall take effect the July first following their submission, with report of committee recommending amendment and passage was taken up for consideration.

Corey of Louisa offered amendment H—3184 filed by the committee on judiciary and law enforcement on January 30, 1979 and found on page 397 of the House Journal and moved its adoption.

Amendment H—3184 was adopted.

Corey of Louisa 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. 64)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bjna	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Binneboese	Chiodo	Cusack	Daggett
Groth	Hanson, D.	Patchett	Perkins

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

House File 167, a bill for an act to establish fees for private process servers, was taken up for consideration.

Conlon 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. 167)

The ayes were, 92:

Anderson, R.	Arnould	Averton	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Anderson, J.	Chiodo	Cusack	Harbor
Patchett	Schnekloth	Stromer	Welden

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

House File 168, a bill for an act relating to the rate of the fee upon turkeys delivered for processing, was taken up for consideration.

Tyrrell of Iowa 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. 168)

The ayes were, 76:

Anderson, J.	Avenson	Bennett	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Diemer	Egenes
Evans	Gettings	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Husak
Jay	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Norland
O'Kane	Oxley	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 16:

Anderson, R.	Arnould	Bina	Binneboese
Byerly	Dieleman	Doyle	Hall
Howell	Jochum	Lloyd-Jones	Miller
Pavich	Perkins	Spears	Walter

Absent or not voting, 8:

Brandt	Chiodo	Cusack	Jesse
Krewson	Patchett	Shimanek	Weiden

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

House File 53, a bill for an act to revise the list of substances designated as controlled substances under the uniform controlled substances Act, with report of committee recommending amendment and passage was taken up for consideration.

Rapp of Black Hawk offered amendment H—3183 filed by the committee on judiciary and law enforcement on January 30, 1979 and found on page 395 of the House Journal.

Doyle of Woodbury offered the following amendment H—3197, to the committee amendment H—3183, filed by him and Schroeder of Pottawattamie and moved its adoption:

H—3197

- 1 Amend the Committee on Judiciary and Law Enforcement
- 2 amendment, H—3183, to House File 53, as follows:
- 3 1. Page 1, by striking lines 2, 3 and 4 and
- 4 inserting in lieu thereof the following:
- 5 "1. Page 2, by striking lines 31 and 32 and
- 6 inserting in lieu thereof the following:
- 7 "a. Pentazocine." "

A non-record roll call was requested.

The ayes were 28, nays 60.

Amendment H—3197 lost, placing out of order amendment H—3196 (to page 2) filed by Doyle of Woodbury and Schroeder of Pottawattamie on February 1, 1979.

On motion by Rapp of Black Hawk, the committee amendment H—3183 was adopted.

Rapp 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. 53)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.

Clark, J.H.	Cochran	Conlon	Connolly
Connor's	Corey	Crabb	Crawford
Daggett	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Sherzan	Shull
Smalley	Spear	Strömer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 4:

Danker	Doyle	Hinkhouse	Husak
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Absent or not voting, 5:

Arnould	Cusack	Harbor	Schroeder
Shimanek			

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

House File 54, a bill for an act relating to district associate judges and judicial magistrates, with report of committee recommending amendment and passage, was taken up for consideration.

Pelton of Clinton offered amendment H—3182 filed by the committee on judiciary and law enforcement on January 30, 1979 and found on pages 395 through 397 of the House Journal and moved its adoption:

Amendment H—3182 was adopted.

Doyle of Woodbury offered amendment H—3190 filed by him and questioned whether or not amendment H—3190 was germane to the bill:

H-3190

1 Amend House File 54 as follows:

2 1. Page 15, by inserting after line 6 the
3 following:

4 "Sec. . Section eight hundred fifteen point
5 seven (815.7), Code 1979, is amended to read as
6 follows:

7 815.7 FEES TO ATTORNEYS. An attorney appointed
8 by the court to represent ~~any~~ a person charged with
9 a crime in this state ~~shall be~~ is entitled to a
10 reasonable compensation which shall be the ordinary
11 and customary charges for like services in the
12 community to be decided in each case by a judge of
13 ~~the district court~~ the judicial officer presiding
14 in the action, including such sum or sums as the court
15 may determine are necessary for investigation in the
16 interests of justice and in the event of appeal the
17 cost of obtaining the transcript of the trial and
18 the printing of the trial record and necessary briefs
19 in behalf of the defendant. ~~Such attorney~~ However,
20 when an action is heard by a magistrate appointed
21 under section six hundred two point fifty (602.50)
22 or six hundred two point fifty-eight (602.58) of the
23 Code the compensation shall be decided in each case
24 by a district judge. An attorney appointed by the
25 court need not follow the case into another county
26 or into the appellate court unless so directed by
27 the court at the request of the defendant, where
28 grounds for further litigation are not capricious
29 or unreasonable, but if ~~such~~ the attorney does so
30 his or her the attorney's fee shall be determined
31 accordingly. Only one attorney fee shall be ~~so~~ awarded
32 in any one case except that in class A felony cases,
33 two may be authorized."

34 2. By renumbering sections of the bill.

The Speaker ruled that amendment H-3190 was not germane.

Miller of Buchanan asked for unanimous consent to defer action on House File 54.

Objection was raised.

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?" (H.F. 54)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellet	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Chiodo	Clark, J.H.	Cusack	Harbor
Larsen	Welsh		

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

House File 182, a bill for an act relating to infectious and contagious diseases in swine, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H—3191 filed by him and moved its adoption:

H—3191

- 1 Amend House File 182 as follows:
- 2 1. Page 1, by striking lines 34 and 35.
- 3 2. Page 2, by striking lines 1 through 6.

Amendment H—3191 lost.

Hummel 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?" (H.F. 182)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Popę	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Clark, J.H.	Cusack	Harbor	Woods
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SPONSOR WITHDRAWN
(House File 209)

Larsen of Wapello requested to be withdrawn as a sponsor of House File 209.

SPONSOR ADDED
(House Files 204 and 207)

Bina of Scott requested to be added as a sponsor of House Files 204 and 207.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 128 Education

Relating to foreign language requirements for approved schools.

S.B. 129 Ways and Means

Relating to the recapture of taxes on certain classes of property when a change in use of the property occurs.

S.B. 130 Cities

To authorize cities to issue revenue bonds to provide for a low-interest mortgage loan program.

S.B. 131 Education

Relating to the school foundation plan.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON TRANSPORTATION

Senate File 101, a bill for an act relating to the registration and licensing of certain vehicles and manufacturers of vehicles by providing a registration fee schedule for ambulances, motor homes, and multipurpose vehicles, by defining a manufacturer of motor vehicles, by licensing certain persons manufacturing, distributing, and wholesaling motor vehicles, subject to penalties provided by law.

Recommended **Do Pass**.

AMENDMENTS FILED

H—3212

H.F. 43

Husak of Tama

H-3213	H.F. 98	Doyle of Woodbury
H-3214	S.F. 70	Spear of Lee
H-3215	H.F. 210	Daggett of Taylor
H-3216	S.J.R. 1	Clark of Lee
		Pope of Polk
		Krewson of Polk
		Poffenberger of Dallas
		Clark of Cerro Gordo
		Mullins of Kossuth
		Crawford of Story
		Avenson of Fayette
		Egenes of Story
		Norland of Worth
H-3217	S.F. 101	Woods of Polk
H-3218	S.F. 101	Binneboese of Plymouth
		Schroeder of Pottawattamie
		Evans of Grundy
		Miller of Buchanan

On motion by Halvorson of Clayton, the House adjourned at 5:07 p.m., until 9:00 a.m., Thursday, February 8, 1979.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day—Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 8, 1979

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

Prayer was offered by the Reverend Richard Buck, pastor of the First Assembly of God Church, Indianola, Iowa.

The Journal of Wednesday, February 7, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton, Iowa.

PETITION FILED

The following petition was received and placed on file:

By Tyrrell of Iowa, from one hundred fifty-six students from Parnell Elementary School, Parnell, Iowa, favoring House Concurrent Resolution 8, designating the ladybug as the state insect.

INTRODUCTION OF BILLS

House File 242, by Krewson, Walter, Pope, Mullins, De Groot, Brandt, Maulsby, Crawford, Hansen of O'Brien, Conlon, Branstad, Van Maanen, Holt and Clark of Cerro Gordo, a bill for an act relating to the determination of the parent and child relationship and providing for civil contempt.

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

House File 243, by Davitt, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a county and authorizing counties to issue revenue bonds for revitalization areas.

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

House File 244, by Spear, a bill for an act relating to late payment charges made by public utilities, including limits and disclosures on the charges.

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

House File 245, by Howell, a bill for an act to establish a board of electrician examiners and to require the licensing of electricians.

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

House File 246, by Cusack, a bill for an act establishing a utility services stamp program for senior citizens and prescribing penalties.

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

House File 247, by Bina, a bill for an act to exempt certain sales of works of art from the sales and use tax.

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

House File 248, by Johnson of Woodbury, a bill for an act relating to the retirement of teachers and administrators under the continuing contract law.

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

House File 249, by Halvorson of Clayton, a bill for an act relating to the legalization and validation of proceedings taken by the board of supervisors of Allamakee county relating to the remodeling and repair of the Allamakee county care facility and to authorize payments for additional costs incurred if the payments can be accomplished without a levy of additional taxes.

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

House File 250, by Crabb, a bill for an act relating to the repeal of the hotel and motel tax.

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

House File 251, by Diemer, Johnson of Howard, Lind, Brandt, Maulsby and Lura, a bill for an act relating to faculty compensation at universities administered by the state board of regents.

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

House File 252, by Lind and Diemer, a bill for an act relating to the determination of unemployment benefits based on the number of dependents.

Read first time and referred to committee on **labor and industrial relations**.

House File 253, by Daggett and Johnson of Woodbury, a bill for an act authorizing a property tax levy to be used for major repairs on schoolhouses.

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

House File 254, by Rapp, a bill for an act relating to the corporation income tax and making the Act retroactive.

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

House File 255, by Cusack, a bill for an act to allow renewal of operator and chauffeur licenses by mail subject to penalties provided by law.

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

House File 256, by Cusack, a bill for an act restricting the termination of natural gas, electricity, water or communications services to residences between October first of any year and May first of the following year.

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

House File 257, by committee on state government, a bill for an act relating to the regulation of liquefied natural gas.

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

House File 258, by Cusack, a bill for an act relating to an exemption from the requirements for immunization of school children.

Read first time and referred to committee on **human resources**.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 1, by Hultman, Priebe, Briles, Coleman, Tieden, Robinson, Bergman, Gallagher, Hansen, Rodgers, Miller of Marshall, Hutchins, Nystrom, Miller of Cerro Gordo, Ramsey, Schwengels, Taylor, Drake, Bisenius, Hulse, Holden, Carney, Comito, Goodwin, Gratias, Hester, Jensen, Kudart, Waldstein and Yenger, a joint resolution for the purpose of requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Read first time and **passed on file**.

Senate File 70, by Nystrom, a bill for an act to establish a senior judge system.

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

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 on February 6, 1979, adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 5, proposing an amendment to the Constitution of the state of Iowa to provide that equality of rights of men and women under the law shall not be denied or restricted by the state or by any of its political subdivision.

FRANK J. STORK, Secretary

REFERRED TO COMMITTEE ON
JUDICIARY AND LAW ENFORCEMENT
(House File 170)

Speaker Millen announced that **House File 170**, previously refer-

red to the committee on human resources, was rereferred to the committee on **judiciary and law enforcement**.

RULES 36.8 and 39 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend Rules 36.8 and 39 of the temporary rules of the House during consideration of the daily debate calendar for Thursday, February 8, 1979.

On motion by Halvorson of Clayton the House was recessed until 3:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

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

Advanced journalism students from the University of Iowa, Iowa City, Iowa, accompanied by Jim Bow. By Lloyd-Jones of Johnson and Hibbs of Johnson.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills for the remainder of the day and February 9 on request of Schroeder of Pottawattamie; Walter of Pottawattamie for the remainder of the day on request of Pavich of Pottawattamie.

APPOINTMENTS TO TITLE XX STATEWIDE ADVISORY COMMITTEE

Speaker Millen announced the appointment of the following members to the Title XX Statewide Advisory Committee: Representative Betty Jean Clark of Cerro Gordo County and Representative Wayne Bennett of Ida County.

CONSIDERATION OF BILLS
Regular Calendar

House File 10, a bill for an act relating to furnishing prosthetic devices for injured workers, with report of committee recommending passage was taken up for consideration.

Jochum of Dubuque offered the following amendment H—3199 filed by him and moved its adoption:

H—3199

- 1 Amend House File 10 as follows:
- 2 1. Page 1, line 24, by inserting before
- 3 the word "is" the word "either".
- 4 2. Page 1, line 26, by inserting after the
- 5 word "section" the words "or is damaged in
- 6 connection with employee actions taken which
- 7 avoid such personal injury".

Roll call was requested by Jochum of Dubuque and Conlon of Muscatine.

On the question "Shall amendment H—3199 be adopted?"

The ayes were, 38:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Bruner	Byerly
Chiodo	Clark, B.J.	Cochran	Connolly
Connors	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Oxley	Pavich	Perkins
Rapp	Ritsema	Sherzan	Wells
Welsh	Woods		

The nays were, 54:

Bennett	Branstad	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Pellett

Pelton	Poffenberger	Pope	Schneklath
Schroeder	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 8:

Brandt	Cusack	Doyle	Evans
Harbor	Hullinger	Patchett	Walter

Amendment H — 3199 lost.

Conlon 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. 10)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Cusack
Patchett

Doyle
Schnekloth

Harbor
Walter

Larsen

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

House File 60, a bill for an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista asked and received unanimous consent that action on House File 60 be temporarily deferred.

House File 2, a bill for an act increasing the maximum lending limit of a small loan company to two thousand dollars, with report of committee recommending amendment and passage, was taken up for consideration.

Pelton of Clinton offered amendment H—3203 filed by the committee on commerce on February 6 and found on page 468 of the House Journal.

Jochum of Dubuque offered the following amendment H—3221, to the committee amendment H—3203, filed by him and Bruner of Story from the floor, and moved its adoption:

H—3221

- 1 Amend amendment H—3203 to House File 2 as follows:
- 2 1. Page 1, line 15, by striking the word "three-
- 3 fourths" and inserting in lieu thereof the word "one-
- 4 half".

Roll call was requested by Jochum of Dubuque and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H—3221 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Cochran	Connolly
Connors	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	McKean	Miller
Norland	O'Kane	Oxley	Pavich
Poffenberger	Rapp	Sherzan	Spear
Tofte	Van Maanen	Wells	Welsh
Woods			

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Pelton	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tyrrell	Weiden	West
Mr. Speaker			

Absent or not voting, 6:

Cusack	Doyle	Harbor	Patchett
Perkins	Walter		

Amendment H—3221 lost.

On motion by Pelton of Clinton, the committee amendment H—3203 was adopted.

By unanimous consent the following amendment H—3223 filed by Schroeder of Pottawattamie from the floor, was adopted:

H—3223

- 1 Amend House File 2 as follows:
- 2 1. Amend the title page, line 2, by striking
- 3 the word "two" and inserting in lieu thereof the
- 4 word "three".

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?" (H.F. 2)

The ayes were, 78:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Groth	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Hibbs	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lloyd-Jones	Lonergan	Lorenzen	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritšema	Schnekloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Wells	West
Woods	Mr. Speaker		

The nays were, 12:

Arnould	Byerly	Connors	Gettings
Hall	Hinkhouse	Husak	Jesse
Jochum	Maulsby	Pellett	Welsh

Absent or not voting, 10:

Clark, J.H.	Cusack	Doyle	Hansen, I.
Harbor	Larsen	Lura	Patchett
Walter	Welden		

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

House File 225, a bill for an act relating to the licensing and regulations of the sale of eggs, was taken up for consideration.

De Groot of Lyon 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. 225)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Norland	O'Kane	Oxley
Pellett	Pelton	Perkins	Pope
Rapp	Ritsema	Schnekloth	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Wells	Welsh
West	Mr. Speaker		

The nays were, 7:

Byerly	Jesse	Miller	Pavich
Poffenberger	Schroeder	Woods	

Absent or not voting, 7:

Cusack	Doyle	Harbor	Larsen
Patchett	Walter	Welden	

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

Senate File 101, a bill for an act relating to the registration and licensing of certain vehicles and manufacturers of vehicles by providing a registration fee schedule for ambulances, motor homes, and multipurpose vehicles, by defining a manufacturer of motor vehicles, by licensing certain persons manufacturing, distributing,

and wholesaling motor vehicles, subject to penalties provided by law, with report of committee recommending passage was taken up for consideration.

Binneboese of Plymouth offered the following amendment H—3218 filed by Binneboese, et al., and moved its adoption:

H—3218

- 1 Amend Senate File 101, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 28, by inserting after the word
- 4 "FEES." the words "For all motorcycles with an engine
- 5 displacement exceeding three hundred fifty cubic
- 6 centimeters, the annual registration fee shall be
- 7 twenty dollars."
- 8 2. Page 3, line 28, by inserting after the word
- 9 "all" the word "other".
- 10 3. Page 3, line 31, by striking the word "said"
- 11 and inserting in lieu thereof the words "said a".
- 12 4. Page 3, line 32, by striking the words "five
- 13 dollars" and inserting in lieu thereof the words "five
- 14 dollars one-half the original registration fee".

Roll call was requested by Pavich of Pottawattamie and Miller of Buchanan.

On the question "Shall amendment H—3218 be adopted?"

The ayes were, 44:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Cochran	Connolly
Connors	Davitt	Dieleman	Diemer
Evans	Gettings	Groth	Halvorson, R.N.
Hansen, I.	Hibbs	Howell	Husak
Jesse	Jochum	Johnson, J.	Johnson, R.
Lind	Lloyd-Jones	Maulsby	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Schroeder	Smalley
Spear	Van Maanen	West	Woods

The nays were 47:

Bennett	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Egenes	Hall
Halvorson, R.A.	Hanson, D.	Hoffmann	Holt

Horn	Hummel	Jay	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Loneragan	Lorenzen	Lura	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Sherzan	Shimanek	Shull	Swearingen
Thompson	Tofte	Tyrrell	Welden
Wells	Welsh	Mr. Speaker	

Absent or not voting, 9:

Chiodo	Cusack	Doyle	Harbor
Hinkhouse	Hullinger	Patchett	Stromer
Walter			

Amendment H—3218 lost.

Woods of Polk offered the following amendment H—3217 filed by him and moved its adoption:

H—3217

- 1 Amend Senate File 101, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, lines 25 and 26, by striking the word
- 4 "thirty-five" and inserting in lieu thereof the word
- 5 "twenty-five".
- 6 2. Page 4, by striking lines 30 through 35 and
- 7 inserting in lieu thereof the following:
- 8 "b. For class A motor homes with a list price
- 9 of less than twenty-five thousand dollars as certified
- 10 to the department by the manufacturer, one hundred
- 11 forty dollars for the first five registrations, seventy
- 12 dollars for the sixth and seventh registrations and
- 13 fifty dollars for each succeeding registration.
- 14 c. For class B motor homes, ninety dollars for
- 15 the first five registrations and forty-five dollars
- 16 for each succeeding registration.
- 17 d. For class C motor homes, one hundred ten dollars
- 18 for the first five registrations, fifty-five dollars
- 19 for the sixth and seventh registrations, and fifty
- 20 dollars for each succeeding registration.
- 21 e. For multipurpose vehicles, seventy-five dollars
- 22 for the first five registrations and fifty dollars
- 23 for each succeeding registration."
- 24 3. Page 5, by striking lines 1 through 8.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—3217 be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Cochran	Connolly	Connors
Davitt	Dieleman	Diemer	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Johnson, J.
Kirkenslager	Loneragan	McKean	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Ritsema	Sherzan
Shull	Smalley	Spear	Wells
Welsh	Woods		

The nays were, 47:

Anderson, J.	Bennett	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hoffmann	Holt	Hummel	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Schnekloth
Schroeder	Shimanek	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 7:

Chiodo	Cusack	Doyle	Gettings
Harbor	Patchett	Walter	

Amendment H—3217 lost.

Menke 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?" (S.F. 101)

The ayes were, 76:

Anderson, J.	Bennett	Bina	Binneboese
Brandt	Branstad	Bruner	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Danker

De Groot	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Norland
O'Kane	Oxley	Pellett	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimaneck
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 17:

Anderson, R.	Arnould	Avenson	Byerly
Clark; B.J.	Daggett	Davitt	Gettings
Horn	Jay	Loneragan	Mullins
Pavich	Pelton	Shull	Van Maanen
Woods			

Absent or not voting, 7:

Chiodo	Cusack	Dieleman	Doyle
Harbor	Patchett	Walter	

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

The House resumed consideration of **House File 60**, a bill for an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

Groth of Buena Vista offered the following amendment H—3225 filed by him from the floor:

H—3225

- 1 Amend House File 60 as follows:
- 2 1. Page 1, by inserting after line 10 the
- 3 following:
- 4 "Sec. 3. Section two hundred seventy-three
- 5 point three, paragraph 12 (273.3) (12), Code 1979,
- 6 is amended by adding the following new unnumbered
- 7 subparagraph:
- 8 "Notwithstanding the provisions of section

9 eighteen point one hundred seventeen (18.117),
 10 Code 1979, any employee of an area education agency
 11 shall receive compensation at the rate of eighteen
 12 cents per mile for driving his or her own motor
 13 vehicle in the pursuit of area education agency
 14 duties." "

Hansen of O'Brien rose on a point of order that amendment H-3225 was not germane.

The Speaker ruled the point well taken and amendment H-3225 not germane.

Groth of Buena Vista asked for unanimous consent to suspend the rules for the consideration of amendment H-3225.

Objection was raised.

Groth of Buena Vista moved to suspend the rules for the consideration of amendment H-3225.

Roll call was requested by Groth of Buena Vista and Rapp of Black Hawk.

On the question "Shall the rules be suspended to consider amendment H-3225?"

The ayes were, 39:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Davitt	Dieleman
Diemer	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Husak	Jay	Jesse
Jochum	Lind	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Pavich	Perkins	Rapp	Spear
Wells	Welsh	Woods	

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Egenes	Evans	Halvorson, R.A.	Hansen, I.

Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 8:

Avenson	Chiodo	Cusack	Doyle
Harbor	Hullinger	Patchett	Walter

The motion lost.

Wells 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. 60)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Binneboese
Harbor

Cusack
Krewson

Doyle
Patchett

Egenes
Walter

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

IMMEDIATE MESSAGE
(Senate File 101)

Halvorson of Clayton asked and received unanimous consent to immediately message Senate File 101 to the Senate.

MOTION TO RECONSIDER
(House File 2)

I move to reconsider the vote by which House File 2 passed the House on February 8, 1979.

CONNOLLY of Dubuque

EXPLANATION OF VOTE

I was necessarily absent from the House chamber when the vote was taken on House File 10. Had I been present, I would have voted "aye."

SCHNEKLOTH of Scott

SPONSOR WITHDRAWN
(House File 241)

Tyrrell of Iowa requested to be withdrawn as a sponsor of House File 241.

PROOF OF PUBLICATION
(House File 249)

Published copy of House File 249 and verified proof of publication of said bill in the Allamakee Journal and Lansing Mirror, a weekly newspaper published at Lansing and Waukon, Iowa on January 24, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

REPORT OF HOUSE ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, your committee on administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
House Clerk	Diane Avenson	13-7 to 15-7	I-FT	2/02/79
House Clerk	Barbara J. Lind	13-2 to 15-3	I-FT	2/02/79
House Clerk	Harriet Stromer	13-6 to 15-7	I-FT	2/02/79
House Clerk	JoAnn West	13-3 to 15-3	I-FT	2/02/79

DAGGETT of Taylor, Chair

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 132 Agriculture

Relating to the marketing of livestock and providing penalties.

S.B. 133 Agriculture

Relating to the distribution of earnings of corporations which are cooperative associations.

S.B. 134 Agriculture

To amend Section 455B.13 relating to anaerobic lagoons which are used in connection with certain animal feeding operations.

S.B. 135 Human Resources

Relating to health facility inspections.

S.B. 136 Human Resources

To require reports of induced terminations of pregnancy.

S.B. 137 Human Resources

Allowing deaf persons to use hearing dogs in certain public places and establishments and providing a penalty.

S.B. 138 Human Resources

Repealing the provision of law relating to documents required for the adoption of Vietnamese refugee children.

S.B. 139 Natural Resources

Relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Study Bill 40, relating to maintenance of improvements along rights-of-ways.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3219	S.F. 70	Spear of Lee
H-3220	S.F. 70	Miller of Buchanan
H-3222	H.F. 224	Spear of Lee
H-3224	S.J.R. 1	Hanson of Delaware
		Pelton of Clinton
H-3226	S.J.R. 1	Horn of Linn
H-3227	S.J.R. 1	Evans of Grundy
		Wells of Linn
		Crabb of Crawford
		Husak of Tama
		Schroeder of Pottawattamie
		Hall of Linn

		Miller of Buchanan
		West of Marshall
		Conlon of Muscatine
H-3228	S.J.R. 1	Evans of Grundy
		Wells of Linn
		Crabb of Crawford
		Husak of Tama
		Schroeder of Pottawattamie
		Hall of Linn
		Miller of Buchanan
		West of Marshall
		Conlon of Muscatine
H-3229	H.J.R. 1	Horn of Linn
H-3230	S.J.R. 1	Halvorson of Webster
		Walter of Pottawattamie
H-3231	S.J.R. 1	Howell of Floyd
H-3232	H.J.R. 1	Howell of Floyd

On motion by Halvorson of Clayton, the House adjourned at 5:13 p.m., until 9:00 a.m., Friday, February 9, 1979.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day—Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 9, 1979

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

Prayer was offered by the Reverend LaVerne Hill, pastor of the Open Bible Church, Pella, Iowa.

The Journal of Thursday, February 8, 1979 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Shimanek of Jones, from one thousand five hundred ninety-three constituents of the twenty-second district favoring Senate File 158, an act relating to financial transactions which involve loans of money, extensions of credit or the transfers of funds by means of drafts.

By Smalley of Polk, from seven residents of district 60 favoring Senate Joint Resolution 1, requiring the U.S. Congress to balance the federal budget.

QUORUM CALL

Roll call was requested by Conlon of Muscatine and Hoffmann of Muscatine to determine that a quorum was present.

Present: 83

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Branstad	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak

Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	Woods	Mr. Speaker	

Absent: 17

Arnould	Brandt	Bruner	Byerly
Chiodo	Crawford	Doyle	Harbor
Jesse	Lorenzen	O'Kane	Patchett
Rapp	Sherzan	Smalley	Walter
West			

INTRODUCTION OF BILLS

House File 259, by Gettings, a bill for an act making an appropriation to provide funds to southeastern Iowa counties and cities for the purpose of aiding in the payment of unexpected costs resulting from excessive snowfall.

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

House File 260, by Clark of Cerro Gordo, a bill for an act to authorize the establishment of mutual insurance companies for the purpose of protecting parties in the chain of manufacture or distribution of products against products liability losses.

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

House File 261, by Patchett, a bill for an act relating to the taxation of income used for certain education expenses of dependents by allowing a taxpayer to defer taxes on income designated for future educational expenses or by permitting a deduction from net income of a portion of the amount paid during the tax year for the dependent's higher education.

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

House File 262, by Schroeder, a bill for an act to provide for the licensing of ophthalmic dispensers, and making penalties applicable.

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

House File 263, by Perkins, a bill for an act relating to the penalties for violations of the laws under the jurisdiction of the Iowa natural resources council.

Read first time and referred to committee on **natural resources**.

House File 264, by Perkins, a bill for an act to authorize the creation of on-site wastewater management districts.

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

House File 265, by Johnson of Linn, Woods and Horn, a bill for an act relating to liquor and beer control on Sunday, repealing the prerequisite for Sunday sales of beer and liquor, that fifty percent or more of the gross receipts of the licensed premises be from the sale of goods and services other than alcoholic liquor or beer, and extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday.

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

House File 266, by Cusack, a bill for an act relating to discrimination against persons because of political affiliation.

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

House File 267, by Anderson of Jasper and Davitt, a bill for an act establishing a family enterprise loan assistance program to aid qualified individuals in obtaining credit to purchase farm or business real property, establishing a tax and making an appropriation.

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

House File 268, by Anderson of Jasper and Davitt, a bill for an act establishing a family farm security program to aid individuals in obtaining loans to purchase farm land by creating a family farm loan

security authority to guarantee loans and to provide for interest adjustment payments and providing for the transfer of certain assets for use in the program.

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

House File 269, by Cusack, a bill for an act relating to the disclosure of a person's social security number and providing a fine for violations.

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

House File 270, by Bina, a bill for an act relating to the consignment of fine art.

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

House File 271, by Pelton, a bill for an act relating to prohibited acts in state parks and preserves.

Read first time and referred to committee on **natural resources**.

House File 272, by Daggett, a bill for an act relating to corporations organized under chapter four hundred ninety-one (491) or four hundred ninety-six A (496A) of the Code electing to become cooperative associations under chapter four hundred ninety-nine (499) of the Code.

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

House File 273, by Harbor, a bill for an act relating to the penalties for violation of the state sales and use tax laws.

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

House File 274, by Thompson, a bill for an act relating to the military property tax exemption for persons fulfilling their military obligation as commissioned officers in the public health service.

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

House File 275, by Pelton, a bill for an act relating to a penalty for taking deer in violation of law.

Read first time and referred to committee on **natural resources**.

House File 276, by Daggett, a bill for an act to strike the requirement that boards of school districts and authorities in charge of non-public schools determine and evaluate educational needs and programs.

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

House File 277, by Pelton, a bill for an act relating to hunting with a rifle during the open deer hunting season.

Read first time and referred to committee on **natural resources**.

REFERRED TO COMMITTEE ON
JUDICIARY AND LAW ENFORCEMENT
(Senate File 70)

Speaker Millen announced that **Senate File 70**, previously referred to the committee on **state government**, was rereferred to the committee on **judiciary and law enforcement**.

REFERRED TO COMMITTEE ON
STATE GOVERNMENT
(House Concurrent Resolution 8)

Speaker Millen announced that **House Concurrent Resolution 8**, previously **laid over under Rule 30**, was referred to the committee on **state government**.

CONSIDERATION OF BILLS
Regular Calendar

SENATE JOINT RESOLUTION 1 SUBSTITUTED
FOR HOUSE JOINT RESOLUTION 1

Crabb of Crawford asked and received unanimous consent to substitute Senate Joint Resolution 1 for House Joint Resolution 1.

Senate Joint Resolution 1, a joint resolution for the purpose of

requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced, was taken up for consideration.

Howell of Floyd offered amendment H—3231 filed by him and requested division as follows:

H—3231

1 Amend Senate Joint Resolution 1 as follows:

H—3231A

2 1. Page 1, line 3, by striking the word
3 "available".

H—3231B

4 2. Page 1, line 4, by inserting after the word
5 "dollars" the words "with the interest on such debt
6 approaching ten percent of the federal budget".

H—3231C

7 3. Page 1, line 8, by striking the words "available
8 revenues" and inserting in lieu thereof the words
9 "revenues or to raise taxes to balance the budget".

H—3231D

10 4. Page 1, lines 17 and 18, by striking the words
11 "with the inflation which results from this policy"
12 and inserting in lieu thereof the words "which is
13 the major factor contributing to the declining
14 purchasing power of the dollar".

On motion by Howell of Floyd, amendment H—3231A lost.

On motion by Howell of Floyd, amendment H—3231B lost.

Howell of Floyd moved the adoption of amendment H—3231C.

Roll call was requested by Howell of Floyd and O'Kane of Woodbury.

On the question "Shall amendment H—3231C be adopted?"

The ayes were, 32:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Byerly	Chiodo	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Lloyd-Jones
Norland	O'Kane	Pavich	Rapp
Sherzan	Spear	Welsh	Woods

The nays were, 61:

Anderson, J.	Bennett	Branstad	Bruner
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Oxley	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	West
Mr. Speaker			

Absent or not voting, 7:

Avenson	Clark, B.J.	Doyle	Harbor
Patchett	Perkins	Walter	

Amendment H—3231C lost.

On motion by Howell of Floyd, amendment H—3231D lost.

Halvorson of Webster asked and received unanimous consent to temporarily defer action on amendment H—3230.

Clark of Lee offered the following amendment H—3216 filed by Clark, et al.:

H—3216

1 Amend Senate Joint Resolution 1 as follows:

- 2 1. Page 1, by striking lines 25 through 28 and
 3 inserting in lieu thereof the words "houses deem it
 4 necessary, which amendments shall be valid to all
 5 intents and".
 6 2. Page 2, by striking lines 3 through 22.
 7 3. Page 2, by striking lines 26 through 28 and
 8 inserting in lieu thereof the words "of an appropriate
 9 amendment to the federal Constitution."
 10 4. By renumbering sections in accordance with
 11 this amendment.
 12 5. Amend the title, by striking lines 2 through
 13 5 and inserting in lieu thereof the words "action
 14 by the Congress to propose an amendment to the".

Evans of Grundy offered the following amendment H—3228, to amendment H—3216, filed by Evans, et al., and moved its adoption:

H—3228

- 1 Amend the Clark amendment H-3216 to Senate Joint
 2 Resolution 1 as follows:
 3 1. By striking lines 2 through 14 and inserting
 4 in lieu thereof the following:
 5 "1. Page 1, line 34, by inserting after the word
 6 "states" the words and figures "before July 1, 1980,".
 7 2. Page 2, line 3, by inserting after the word
 8 "Alternatively," the words and figures "effective
 9 July 1, 1980, if the Congress of the United States
 10 has not proposed and submitted to the several states
 11 an amendment as provided in section one (1) of this
 12 resolution,".
 13 3. Page 2, line 9, by striking the word "This"
 14 and inserting in lieu thereof the words and figures
 15 "Effective July 1, 1980, this".
 16 4. Page 2, line 16, by inserting after the word
 17 "resolution," the words and figures "or if before
 18 July 1, 1980, the general assembly repeals this
 19 application to call a constitutional convention,".
 20 5. Page 2, line 28, by inserting after the word
 21 "Constitution" the words and figures "if the Congress
 22 of the United States has not proposed and submitted
 23 to the several states an amendment as provided in
 24 section one (1) of this resolution before July 1,
 25 1980:"

Roll call was requested by Evans of Grundy and West of Marshall.

Rule 80 was invoked.

On the question "Shall amendment H—3228, to amendment H—3216, be adopted?"

The ayes were, 50:

Anderson, J.	Bennett	Branstad	Conlon
Corey	Crabb	Daggett	Danker
De Groot	Diemer	Evans	Hall
Halvorson, R.A.	Hansen, I.	Hibbs	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Miller	Oxley
Pellet	Pelton	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
West	Mr. Speaker		

The nays were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Connolly	Connors	Crawford	Cusack
Davitt	Dieleman	Doyle	Egenes
Gettings	Groth	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Krewson
Lloyd-Jones	Lonergan	Menke	Mullins
Norland	O'Kane	Patchett	Pavich
Perkins	Poffenberger	Pope	Rapp
Sherzan	Spear	Walter	Welsh
Woods			

Absent or not voting, 1:

Harbor

Amendment H—3228 was adopted, placing out of order amendment H—3227 (to page 1) filed by Evans, et al., on February 8, 1979.

Clark of Lee moved the adoption of amendment H—3216, as amended.

A non-record roll call was requested.

The ayes were 62, nays 37.

Amendment H—3216, as amended, was adopted.

Hanson of Delaware offered the following amendment H-3224 filed by him and Pelton of Clinton:

H-3224

- 1 Amend Senate Joint Resolution 1 as follows:
- 2 1. Page 1, by striking line 35 through page 2,
- 3 line 2, and inserting in lieu thereof the following:
- 4 "an amendment to the Constitution of the United
- 5 States limiting the growth of total federal
- 6 government spending to the percentage of growth of
- 7 the Net National Product as computed by the Bureau
- 8 of Economic Analysis for the 12 months prior to
- 9 the beginning of the budgeted fiscal year, and
- 10 making certain exceptions with respect thereto."
- 11 2. Page 2, by striking lines 7 and 8 and
- 12 inserting in lieu thereof the following:
- 13 "Constitution of the United States to limit the
- 14 growth of total federal government spending to the
- 15 percentage of growth of the Net National Product
- 16 as computed by the Bureau of Economic Analysis
- 17 for the 12 months prior to the beginning of the
- 18 budgeted fiscal year, and making certain
- 19 exceptions with respect thereto."
- 20 3. Amend the title, by striking line 7 and
- 21 inserting in lieu thereof the following: "that
- 22 the growth of total federal government spending
- 23 be limited to the percentage of growth in the
- 24 Net National Product."

Crabb of Crawford rose on a point of order that amendment H-3224 was not germane.

The Speaker ruled the point well taken and amendment H-3224 not germane.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H-3230 (to page 1) filed by him and Walter of Pottawattamie on February 8, 1979.

Horn of Linn offered the following amendment H-3226 filed by him:

H-3226

- 1 Amend Senate Joint Resolution 1 as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:

4 "Sec. . This application and petition shall
 5 be deemed null and void, rescinded, and of no effect
 6 if for any fiscal year the state budget provides for
 7 expenditures in that fiscal year in excess of the
 8 state revenues obtained in that fiscal year."
 9 2. By renumbering the sections to conform to this
 10 amendment.

Crabb of Crawford rose on a point of order that amendment H—3226 was not germane.

The Speaker ruled the point well taken and amendment H—3226 not germane.

Horn of Linn asked for unanimous consent to suspend the rules for the consideration of amendment H—3226.

Objection was raised.

Horn of Linn moved that the rules be suspended for the consideration of amendment H—3226.

Roll call was requested by Horn of Linn and Woods of Polk.

On the question "Shall the rules be suspended?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Loneragan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Walter	Wells	Welsh	Woods

The nays were, 56:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 4:

Harbor	Krewson	Poffenberger	Stromer
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The motion lost.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott for the remainder of the day and February 12, on request of Cochran of Webster.

The House resumed consideration of Senate Joint Resolution 1.

Crabb of Crawford 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.

Rule 80 was invoked.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 1)

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Conlon
Corey	Crabb	Daggett	Danker
De Groot	Diemer	Doyle	Evans
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Oxley	Pellett
Pelton	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	West
Mr. Speaker			

The nays were, 43:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Crawford	Cusack	Davitt
Dieleman	Egenes	Gettings	Groth
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Krewson	Lloyd-Jones	Loneragan	Mullins
Norland	O'Kane	Pavich	Perkins
Poffenberger	Pope	Rapp	Sherzan
Spear	Walter	Welsh	

Absent or not voting, 4:

Bina	Harbor	Patchett	Woods
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

MOTION TO RECONSIDER TABLED (Senate Joint Resolution 1)

Crabb of Crawford moved to reconsider the vote by which Senate Joint Resolution 1 was adopted by the House and that the motion to reconsider be tabled.

Jesse of Polk rose on a point of order that the motion, having been debated, was not in order.

The Speaker ruled the point well taken and the motion not in order.

Schroeder of Pottawattamie moved to reconsider the vote by which Senate Joint Resolution 1 was adopted by the House and that the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 55, nays 40.

The motion prevailed.

HOUSE CONCURRENT RESOLUTION 10
By Daggett and Danker

- 1 *Whereas*, the United States has been divided into ten
2 federal regions by Executive Order 11647, entitled
3 Federal Regional Councils, entered in the Federal
4 Register by the president on February 12, 1972; and
5 *Whereas*, the announced goals of the federal regional
6 system is to assume the power and authority which
7 traditionally have belonged to municipal and county
8 governments and to the sovereign states, and will
9 bypass these traditional and constitutional govern-
10 mental bodies; and
11 *Whereas*, in Iowa and across the nation, this new
12 form of governance is being created under different
13 names such as Mid-America Regional Council, river basin
14 compacts, metropolitan regions, city-county consolida-
15 tion charters, and federal region substate regions, all
16 of which constitute "metro" or "regional" government;
17 and
18 *Whereas*, many respected authorities on government
19 and constitutional law declare that the purpose of
20 regional governance is to eliminate cities, counties,
21 and states, and their elected officials, and will usurp
22 the rights and freedoms of individual citizens guaranteed
23 by the Constitution of this state and of the United States
24 of America; and
25 *Whereas*, senators and representatives elected to the
26 general assembly of this state have taken an oath to
27 uphold the Constitution, and must hold as a sacred trust
28 their responsibility to protect the freedom and liberties
29 of the citizens of this state; *Now, Therefore*,
30 *Be It Resolved By The House Of Representatives, The*

Page 2

1 *Senate Concurring*, That a special joint study committee
2 is established consisting of four members of the senate
3 and four members of the house of representatives,
4 appointed in the same manner as members of standing
5 committees, to thoroughly investigate and study all
6 aspects of regional governments including, but not
7 limited to, their origins, development, functions, pur-
8 poses and goals and to take testimony, hold hearings,
9 call expert witnesses and take such other action as

10 necessary to carry out the investigation and study; and

11 *Be It Further Resolved*, That in order to insure an
12 open and objective study and investigation, the commit-
13 tee chairperson shall not be a person who is already
14 committed to the advancement of regional government;
15 and

16 *Be It Further Resolved*, That the study committee
17 shall report its findings and recommendations, espe-
18 cially as to the constitutionality of regional govern-
19 ment and its effects upon the citizens of this state and
20 including any proposed legislation, to the presiding
21 officers of the Sixty-eighth General Assembly by January
22 30, 1980.

Laid over under Rule 30.

REREFERRED TO COMMITTEE ON COUNTY GOVERNMENT
(House File 43)

Danker of Pottawattamie asked and received unanimous con-
sent to rerefer **House File 43**, presently on the **regular calendar**, to
the committee on **county government**.

REREFERRED TO STATE GOVERNMENT
(Study Bill 98)

Study Bill 98, previously referred to the committee on **county government**, was rereferred to the committee on **state government**.

COMMUNICATION FROM
IOWA DEVELOPMENT COMMISSION

There is on file in the office of the Chief Clerk a report titled
"Travel Development Division Year-end Review" received from the
Iowa Development Commission.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber when the vote was taken on Senate File 101. Had I been present, I would have voted "nay."

DIELEMAN of Marion

I was necessarily absent from the House Chamber on Thursday afternoon, February 8, 1979. Had I been present, I would have voted "aye" on House Files 2, 10, 60, 225, and "nay" on Senate File 101.

WALTER of Pottawattamie

SPONSOR ADDED
(House File 214)

Bina of Scott requested to be added as a sponsor of House File 214.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 140 Ways and Means**

Relating to the filing requirements for individual income tax returns.

S.B. 141 Ways and Means

Relating to equalization and assessment procedures.

S.B. 142 Ways and Means

To create a new class of commercial residential property.

S.B. 143 Ways and Means

Relating to the valuation of agricultural and residential property at a percentage of its actual value.

S.B. 144 Judiciary and Law Enforcement

S.B. 145 Judiciary and Law Enforcement

Relating to corporate farming and providing penalties for failure of certain corporations to file reports.

S.B. 146 Judiciary and Law Enforcement

Relating to notice of appraisal and results of appraisal for inheritance tax purposes.

S.B. 147 Judiciary and Law Enforcement

Providing for deducting from the gross value of an estate for purposes of inheritance tax any lien upon the estate property.

S.B. 148 Judiciary and Law Enforcement

Relating to inheritance tax providing for the inclusion of property jointly held by decedent and surviving spouse, with certain exceptions, and providing an exemption for the surviving spouse.

S.B. 149 Judiciary and Law Enforcement

Relating to the final report of the personal representative of a decedent's estate.

S.B. 150 Judiciary and Law Enforcement

Providing that certain people may request exemption from jury duty.

S.B. 151 Judiciary and Law Enforcement

Relating to definitions of and mandatory recordation of certain conveyances.

S.B. 152 Judiciary and Law Enforcement

Providing civil remedies for violations of chapter five hundred fifty-one (551) of the Code, relating to price discrimination.

S.B. 153 Judiciary and Law Enforcement

Relating to the filing of requests and giving notice of claims against probated estates.

S.B. 154 Judiciary and Law Enforcement

Relating to the filing of objections to estate or property appraisal.

SUBCOMMITTEE ASSIGNMENTS**House File 80**

Commerce: Pope, Chair; Chiodo and Evans.

House File 93

Commerce: Pope, Chair; Chiodo and Swearingen.

House File 96

Commerce: Ritsema, Chair; Johnson of Linn and Bruner.

House File 115

Commerce: Pope, Chair; Hibbs and Bina.

House File 134

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 152

Education: Stromer, Chair; Thompson, Horn, Crawford, Larsen, Menke, Diemer, Norland, Patchett, Groth and Jay.

House File 156

Natural Resources: Menke, Chair; Byerly and Pellett.

House File 159

Judiciary and Law Enforcement: Shimanek, Chair; Rapp and Johnson of Howard.

House File 165

Transportation: Daggett, Chair; Lageschulte and Miller.

House File 172

Commerce: Hibbs, Chair; Rapp and Crabb.

House File 173

Cities: Larsen, Chair; Hanson of Delaware and Bina.

House File 174

Cities: Danker, Chair; Diemer and O'Kane.

House File 180

Natural Resources; Hummel, Chair; Cochran and Larsen.

House File 183

Natural Resources: Johnson of Howard, Chair; Perkins and Van Maanen.

House File 186

Transportation: Egenes, Chair; Davitt, Jay, Lageschulte and McKean.

House File 187

Transportation: Kirkenlager, Chair; Binneboese and Menke.

House File 189

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

House File 202

Energy: McKean, Chair; Pelton and Bruner.

House File 212

Human Resources: Lind, Chair; Husak and Arnould.

House File 214

Commerce: Swearingen, Chair; Bina and Shull.

House File 216

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 223

Agriculture: Mullins, Chair; Halvorson of Webster and Tyrrell.

House File 226

Commerce: Swearingen, Chair; Conlon and Dieleman.

House File 231

Commerce: Johnson of Linn, Chair; Bruner and Crabb.

House File 234

Energy: Evans, Chair; McKean, Mullins, Howell, Rapp, Ritsema, Van Maanen and Sherzan.

House File 237

Commerce: Evans, Chair; Egenes and Woods.

House File 239

Commerce: Ritsema, Chair; Conlon and Jochum.

House File 241

Commerce: Hibbs, Chair; Dieleman and Pope.

House File 244

Commerce: Johnson of Linn, Chair; Bruner and Crabb.

House File 256

Commerce: Johnson of Linn, Chair; Bruner and Crabb.

House File 271

Natural Resources: Johnson of Howard, Chair; Hall and Tyrrell.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 90**

(Additional Members Assigned)

Energy: Ritsema, Chair; Pelton, Smalley, Doyle, Hullinger, Cusack and Mullins.

Study Bill 95

Transportation: Egenes, Chair; Davitt, Jay, Lageschulte and McKean.

Study Bill 96

Human Resources: Krewson, Chair; Lonergan, Cusack, Poffenberger, De Groot and Clark of Cerro Gordo.

Study Bill 97

Human Resources: Spear, Chair; Kirkenslager, De Groot, Poffenberger and Lonergan.

Study Bill 106

Cities: Tyrrell, Chair; Johnson of Linn and Connors.

Study Bill 107

Cities: Lorenzen, Chair; West and Brandt.

Study Bill 108

Cities: Halvorson of Webster, Chair; Hanson of Delaware and Lorenzen.

Study Bill 109

Cities: Larsen, Chair; Lind and Pavich.

Study Bill 110

Cities: Hanson of Delaware, Chair; Diemer and Spear.

Study Bill 113

Cities: Hall, Chair; West and Spear.

Study Bill 118

Human Resources: Lind, Chair; Husak and Arnould.

Study Bill 119

Human Resources: Lind, Chair; Husak and Arnould.

Study Bill 120

Judiciary and Law Enforcement: Conlon, Chair; Jesse and Doyle.

Study Bill 121

Judiciary and Law Enforcement: Shimanek, Chair; Patchett and Pelton.

Study Bill 122

Judiciary and Law Enforcement: Holt, Chair; Welsh and Jesse.

Study Bill 123

Judiciary and Law Enforcement: Rapp, Chair; Lloyd-Jones and Corey.

Study Bill 126

Commerce: Pope, Chair; Dieleman and Schroeder.

Study Bill 127

Commerce: Swearingen, Chair; Hibbs and Walter.

Study Bill 128

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

Study Bill 131

Education: Stromer, Chair; Thompson, Horn, Crawford, Larsen, Menke, Diemer, Norland, Patchett, Groth and Jay.

Study Bill 134

Agriculture: Schroeder, Chair; Davitt and Crabb.

Study Bill 132

Agriculture: Bennett, Chair; Hinkhouse and De Groot.

Study Bill 133

Agriculture: Hummel, Chair; Husak and Pellett.

On motion by Halvorson of Clayton the House adjourned at 3:35 p.m., until 10:00 a.m., Monday, February 12, 1979.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day — Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 12, 1979

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

Prayer was offered by Father Benedict Kenkel, pastor of St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Friday, February 9, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Alan Robb, Resident, Iowa Lutheran Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Welsh of Dubuque for February 12 and 13 and Howell of Floyd for the morning session on request of Avenson of Fayette; Johnson of Linn for February 12, 13 and 14 on request of Maulsby of Calhoun; Ritsema of Sioux on request of Shimanek of Jones; Mullins of Kossuth on request of Clark of Cerro Gordo; Oxley of Linn on request of Groth of Buena Vista.

PETITIONS FILED

The following petitions were received and placed on file:

By Anderson of Jasper from four hundred forty-two constituents; Brandt of Black Hawk from ninety students of Cresthaven School, Tama, Iowa; Husak of Tama from sixty-five students from the seventy-first district and Welden of Hardin from two hundred thirty-five students of Ackley-Geneva Elementary School, all favoring the ladybug be designated as the state insect.

By Diemer of Black Hawk from two thousand four hundred twenty-nine constituents of the thirty-sixth district favoring permanent share draft legislation.

INTRODUCTION OF BILLS

House File 278, By Hansen of O'Brien, a bill for an act requiring persons applying for the first time for a school bus driver's permit to complete the Iowa school bus driver training course.

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

House File 279, By Poffenberger, Pelton, Pope, Walter, Bina, Doyle and Jochum, a bill for an act providing that companies writing automobile liability policies, product liability policies, medical malpractice policies, or policies of liability insurance described in section six hundred thirteen A point seven (613A.7) of the Code shall annually report specified information relating to claims, premiums, income and expense ratios, and other matters pertaining to the costs of writing these policies.

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

House File 280, by Hullinger, Avenson, Van Maanen, Danker, Harbor, Cochran, Davitt, Tofte, Pellett, Daggett, Hansen of O'Brien, Groth, Halvorson of Webster and Howell, a bill for an act relating to the rate of unemployment compensation contributions for employers free from chargeable benefit payments for twenty calendar quarters.

Read first time and referred to committee on **labor and industrial relations**.

House File 281, by Thompson and Harbor, a bill for an act to provide an increase in retirement benefits for persons who retired under the Iowa public employees' retirement system between January 1, 1976 and June 30, 1978.

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

House File 282, by Poffenberger and Clark of Cerro Gordo, a bill for an act to divide judicial district five into three judicial election districts.

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

House File 283, by Daggett, a bill for an act increasing the jurisdictional amount for actions for money judgment triable as small claims from one thousand dollars to two thousand dollars.

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

House File 284, by Menke, a bill for an act relating to meetings of the boards of supervisors and township trustees.

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

House File 285, by Tyrrell and Holt, a bill for an act relating to the hunting of crows.

Read first time and referred to committee on **natural resources**.

House File 286, by Hanson of Delaware, a bill for an act to provide that registration for elections, other than general elections, primary election and special elections called by the governor, shall close eleven days prior to the date of the election.

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

House File 287, by Egenes, a bill for an act relating to the age for school attendance.

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

House File 288, by Branstad, a bill for an act relating to the penalty provided for refusal to employ on the basis of union membership.

Read first time and referred to committee on **labor and industrial relations**.

House File 289, by Branstad, a bill for an act relating to unlawful picketing and making penalties applicable.

Read first time and referred to committee on **labor and industrial relations**.

House File 290, by Anderson of Jasper, a bill for an act appropriating funds to the legislative oversight bureau.

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

House File 291, by Horn, a bill for an act relating to the physical education requirement for certain high school students.

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

House File 292, by Bina, a bill for an act to provide protection against the defacement, mutilation, alteration or destruction of a work of fine art in the possession of one other than the artist.

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

House File 293, by Evans, a bill for an act to exempt from the real estate transfer tax certain deeds between family farm corporations or authorized farm corporations and their stockholders.

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

House File 294, by Lind, a bill for and act requiring an audit of organizations receiving federal funds.

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

House File 295, by Bruner and Clark of Cerro Gordo, a bill for an act extending eligibility for aid to dependent children assistance to certain expectant mothers experiencing their first pregnancies.

Read first time and referred to committee on **human resources**.

House File 296, by Menke, a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts.

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

House File 297, by Hansen of O'Brien, Husak, Spear, Hinkhouse, Swearingen, Hullinger and Bina, a bill for an act to provide an exemption from the mandatory school year requirement.

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

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 on February 12, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 9, providing for a joint convention to observe Lincoln's birthday.

FRANK J. STORK, Secretary

HOUSE JOINT RESOLUTION 1 WITHDRAWN

Crabb of Crawford asked and received unanimous consent to withdraw House Joint Resolution 1 from further consideration by the House.

CONSIDERATION OF BILLS Regular Calendar

House File 257, a bill for an act relating to the regulation of liquefied natural gas, was taken up for consideration.

Hoffmann 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. 257)

The ayes were, 88:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans'
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.

Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	West	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Bina	Chiodo	Egenes	Howell
Johnson, R.	Lonergan	Mullins	Oxley
Patchett	Ritsema	Welsh	Woods

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 6

Halvorson of Clayton called up for consideration House Concurrent Resolution 6, relating to the International Year of the Child, filed on January 23, 1979 and found on pages 306 and 307 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 7

Halvorson of Clayton called up for consideration House Concurrent Resolution 7, relating to a joint convention for Pioneer Lawmakers, filed on January 25, 1979 and found on page 362 of the House Journal.

Halvorson of Clayton offered the following amendment H-3204 filed by him and moved its adoption:

H-3204

- 1 Amend House Concurrent Resolution 7 as follows:
- 2 1. Line 3, by striking the number "5" and in-
- 3 serting in lieu thereof the number "19".

- 4 2. Line 8, by striking the number "5" and in-
5 serting in lieu thereof the number "19".

Amendment H—3204 was adopted.

On motion by Halvorson of Clayton, House Concurrent Resolution 7, as amended, was adopted.

On motion by Halvorson of Clayton, the House was recessed until 11:25 a.m.

The House reconvened, Speaker Millen in the chair.

COMMITTEE TO NOTIFY THE SENATE

Stromer of Hancock 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 Stromer of Hancock, Schneklath of Scott and Connors of Polk.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Stromer of Hancock, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that it 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 in the House chamber.

JOINT CONVENTION

LINCOLN'S BIRTHDAY OBSERVANCE

In accordance with House Concurrent Resolution 9 duly adopted, the joint convention was called to order, President Branstad presiding.

Senator Hultman 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 Branstad announced a quorum present and the joint convention duly organized.

Senator Schwengels moved that a committee of six consisting of three members from the Senate and three members from the House, be appointed to escort Mr. George Mills to the rostrum to deliver an address in observance of Lincoln's birthday.

The motion prevailed and the President appointed as such committee Senators Schwengels of Jefferson, Tieden of Clayton and Kinley of Polk, on the part of the Senate, and Representatives Harbor of Mills, Crabb of Crawford and Cochran of Webster, on the part of the House.

The committee waited upon Mr. Mills and escorted him to the Speaker's station.

President Branstad introduced Mr. George Mills who addressed the joint convention as follows:

PRESIDENT BRANSTAD, SPEAKER MILLEN, MEMBERS OF THE SIXTY-EIGHTH GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

It is one of the great honors of my life to appear before you on this one hundred and seventieth birthday observance of Abraham Lincoln and to point out how steeped we are in the heritage of Mr. Lincoln and the Civil War right here.

It is an added honor to have been escorted into this chamber by six distinguished legislators. I must confess there have been times in my forty-eight-year span around here as a newsman when some legislators would have gladly escorted me out, permanently.

This magnificent capitol itself is a product of the Lincoln era. I want to say that I have come into this building thousands of times and have never ceased to be awed by its magnificent splendor. The Legislature approved construction of the building in 1870, only five years after the Lincoln assassination and the end of the war.

How was the Statehouse paid for? By property taxes, and with no tax increase. The state was filling up rapidly with settlers from southern and eastern United States and from Europe. The needed money came from rising valuations and no millage boost was needed. The Statehouse was finished in 1886 and the total cost was not much over three million dollars.

Signs of the Lincoln age are all around you as you work day by day on the state's business in these chambers. Up inside the dome is the American flag and the emblazoned numbers 1861-1865, the years of the Civil War. In the rotunda is the end of the Gettysburg Address, "That this nation under God shall have a new birth of freedom. That government of the people, by the people and for the people shall not perish from the earth." Down on the first floor are one hundred crumbling flags borne by proud Iowa regiments in that great conflict. Seventy-six thousand Iowans marched away to that war and thirteen thousand died for their country; nearly as many as in the Spanish War, World War I and World War II, the Korean War and the Vietnam War combined. Talk about a grim holocaust — thirteen thousand deaths in four years, about nine a day on the average in an Iowa whose population was less than one-fourth to one-third what it is now.

Those flags downstairs, incidentally, have been there since an August day in 1894 when four thousand aging veterans, survivors of those regiments, marched behind their old colors up Locust street from the arsenal on the river to the Capitol and put them where they are now.

It was a moving sight, that march. There was little cheering because the spectators felt too deeply to cheer. The "Register" said: "The old flags are in the Statehouse. The boys who followed them to death-dealing dangers, to the success of the cause for which they risked their lives have bid them goodbye forever. They have been handled for the last time."

It was also a day of the last goodbye to each other. The veterans gathered around a huge campfire that night, perhaps over here at the capitol, and sang together for the last time such old-time war songs as "Tramp, Tramp, Tramp the Boys are Marching," "Tenting Tonight" and "Marching Through Georgia."

Outside those windows is the monument of Lincoln and Tad, sculptured by Fred Torrey, a Des Moines artist we knew as a member of the Grace Methodist Church and a wonderful guy. And take a look sometime at the big Civil War monument to the south of this building. Those figures high up are real Iowa Generals, not just four guys on horseback. They are Generals Grenville Dodge of Council Bluffs, Marcellus Crocker of Des Moines, John Corse of Burlington (sometime ask me about the "hold the fort" saying by John Corse) and Samuel Curtis of Keokuk. General Francis Herron of Dubuque equally deserves to be there too but there just wasn't room. And, oh, was Dubuque mad when he didn't make it!

Down lower, on the northeast corner of the monument is a statue of a young soldier, a musket in one hand and a bouquet of flowers in the other. He was Shelby Norman, an eighteen-year-old boy from Muscatine. He pictures the joy of a soldier coming home. Only Shelby never got home. He was almost the first Iowan to die in action in the war. A sniper's bullet got him as his regiment was marching to the Wilson Creek battlefield in Missouri in 1861. An early writer said of Shelby:

"There stands the form and features of this typical young soldier of Iowa, and there it will stand for ages to come, an inspiration to the patriotism of the young men of our state."

The rear guard of Civil War veterans were still around here in my time. Back over the Sergeant-at-Arms' desk is a picture of Oley Nelson of Slater, Iowa, Sergeant-at-Arms' of this House until he died in 1938. We had no microphones in those days. Oley didn't need one. Oley would come to the top of the stairs and shout: "Mr. Speaker! Message from the Senate!" His roar woke up everybody sleeping in both chambers.

And old man Baker, a civil war veteran, was doorman right here by the Speaker's station. He sat on those steps all day holding a rope tied to the door handle. When somebody wanted in or out, he just pulled the rope without getting up. He went to sleep quite often too.

Downstairs in the Governor's office was Douglas Miller, a gentle old black man who was born in slavery. He was the Governor's messenger. He finally went into retirement in the 1950's when he was ninety-five years old.

And doesn't it give you a sense of history to remember that John Brown — you recall the song "John Brown's body lies a-mouldering in the grave" . . . silently drove his horses and wagon down Grand Avenue outside here, taking runaway slaves hidden under cornstalks in the wagon to freedom? Brown stopped at the home of Isaac Brandt, over here on the northeast corner of East 12th and Grand, a state parking lot now, where he stayed overnight. Brown also stopped at the home of Josiah Grinnell in the town of Grinnell.

Brown came through here in 1859 and saw another friend, John Teesdale, editor of the "Register." Teesdale knew something major was brewing. He told Brown to go back to his farm in upstate New York and stay there, not to do anything rash that he would regret. But Brown went east and with a tiny band of twenty-two men, including quite a few Iowans, attacked and captured the federal arsenal at Harper's Ferry. He hoped to start a revolution among the slaves. But there was no revolution and after a one-sided battle, Brown was captured and hanged and few of his men escaped death in one way or another.

The attack inflamed the nation and undoubtedly hurried the outbreak of the war.

Six Iowans who fought in the war later served as Governor of the State. Four were wounded. Two of those wounded took their oaths of office as Governor on this rostrum, about where I'm standing. They were Buren Sherman of your city of Vinton, Mr. Hummel, and Francis Drake of Centerville, Mr. Jay. Drake was a financial angel of Drake University.

The Civil War traditions of this Legislature are equally tremendous. Half the membership of the 1862 session marched off to war after adjournment and many of them died in the service of their country. Later somebody said that session provided few leaders to the state afterwards — that few attained such top positions as Governor. To which one Iowan, who visited cemeteries in the south, replied: "They were greater than Governors."

And Mr. Lincoln in person is a proud part of our history. He owned property in three locations in Iowa. Given to him for his service as a captain in the Black Hawk War was one forty-acre tract northwest of Toledo in Tama County and another one hundred twenty acres five miles northwest of Denison in Crawford County. He never visited either tract.

But he did see seventeen town lots he owned in Council Bluffs and a ten-acre prairie nearby. He acquired that land when a Chicago attorney-friend of his gave him the properties rather than pay off a three thousand dollar loan he floated with Lincoln.

Old Abe came up the Missouri River in 1859 to see the properties. He intended to stay only briefly but the boat got stuck on a sandbar and he was stranded in Council Bluffs for three days. Local Republicans got him to deliver a speech. More important, he talked with Grenville Dodge and others about a dream they had — a transcontinental railroad to the Pacific Ocean — an unbelievable dream at that time. They took Lincoln up on a bluff and pointed west where the marvelous railroad would go.

The dream was revived after Lincoln became President and the tremendous feat of building the Union Pacific Railroad was completed in 1869, ten years later and four years after the war ended. The chief engineer for construction was Iowa's Grenville Dodge, one of the great railroad builders in American history as well as a top-flight soldier. Here's how the railroad got its name: It connected the Union to the far-off Pacific, hence Union Pacific. And its eastern terminal was and is Council Bluffs.

That same 1859 year, Lincoln went to Dubuque on some business for the Illinois Central Railroad which he represented as attorney. He stayed in the old Julien House Hotel.

The year 1858 was the year of the famous Lincoln—Douglas debates in Illinois. The debaters happened to be near Burlington, Iowa, when they had a few days off. Lincoln came down the Mississippi to deliver a speech to a Republican gathering at Burlington. His only luggage was a boiled shirt wrapped in a newspaper, which he gave to the hotel clerk to take care of. Even the "big shots" traveled light in those days. He spoke for two hours to a crowd of twelve hundred. That was nothing — candidates sometimes talked three and four hours in those days. You wonder how the Republic survived. Stephen A. Douglas also followed Lincoln and talked to the Democrats in Burlington.

Lincoln also was a key figure in a notable legal battle centering on the Mississippi. The Rock Island Railroad built a bridge across the river at Davenport in the mid 1850's. River boat people hollered their heads off, principally because they didn't want to compete with the railroads in hauling grain and freight. A boat named the Effie Afton rammed into a bridge abutment and sank, maybe purposefully. The boat owners sued the railroad for damages. Lincoln was attorney for the Rock Island in the trial held in Chicago. He told the jury that the railroad hauled nearly thirteen thousand freight cars and carried seventy-four thousand passengers over the bridge in eleven months. Wouldn't railroads like to have that volume of traffic now! Lincoln said east-west travel on land had as many rights as north-south travel on the river. The jury could reach no agreement and the case ended with a victory for the railroad.

The Republicans held a swinging convention in Chicago in 1860, the convention that nominated Lincoln the first time. Old Abe wasn't there and he sure wouldn't have approved what his followers did. They printed up a bunch of bogus tickets and filled up the seats reserved for supporters of William Seward who was a rival candidate. The Seward people marched grandly from the station to the convention hall and found themselves with no place to sit. That was as close to a revolution as you could get. Also, Abe served notice he wouldn't trade any cabinet posts for delegate votes but his managers shamelessly traded them anyway.

Iowa wasn't all Lincoln at first. Lincoln got only two of the state's eight delegate votes on the first ballot and five and one-half on the third and final ballot. The Iowans apparently soaked up a lot of liquor. They charged it to the headquarters and William Penn Clarke of Iowa City, who I think was chairman of the delegation, got stuck with the bill. There was plenty of hollering about that.

Incidentally, John Kasson of Des Moines and the famous Horace Greeley stayed up late at night and wrote the Republican platform in its final form.

Can you imagine anybody voting against Lincoln today? Plenty of Iowans did in 1860. In fact, he didn't carry Iowa by a whole lot, 70,000 votes for Lincoln to 55,000 for Douglas, the Democratic nominee. Lincoln lost twenty-five counties, including Dubuque, Wapello, Lee, Appanoose, Decatur, Wayne, Fremont, and I think Marion, among others. Among other things, the result reflected the basic strength of the Democrats in Iowa in the years before the Civil War, especially before 1853. The long reign of the Republicans began in 1854-1856 and continued with few interruptions until 1932. From 1856 to 1932 the Democrats won one presidential election in the state.

Back to Lincoln himself: One of his closest friends was Senator James Harlan of Mount Pleasant. Lincoln named Harlan his Secretary of the Interior shortly before the assassination. The Harlans saw quite a bit of the Lincolns socially in Washington.

Lincoln's son Robert married Mary Harlan, the Senator's daughter. Lincoln's grandchildren visited Mount Pleasant in the summertime. Teenager, Abraham Lincoln, grandson of the President, loved playing tennis at Mount Pleasant, before his father was appointed ambassador to England. Young Abraham gave somebody in Mount Pleasant his tennis net to keep when the Robert Lincoln family went overseas. The net is still there. The young man died while at school in France.

Back to the President, he appointed Samuel Freeman Miller of Keokuk to the United States Supreme Court in 1862. Justice Miller served on the high court for twenty-eight years. His integrity was and is legendary. He's a great story in himself.

Mr. Lincoln also named previously mentioned John Kasson of Des Moines first assistant Postmaster General. Kasson, incidentally, as a Representative in this Legislature led the hard-fought battle for construction of this capitol, and what a tough battle it was. Other places wanted to take the state government away from Des Moines, such as your Oskaloosa, Senator Van Gilst, your Ames, Senator Murray, and your Marshalltown, Senator Miller. They didn't get the job done but came very close.

Mr. Lincoln also named Alvin Saunder of Mount Pleasant the Governor of the Territory of Nebraska, a choice post. Saunder later was a notable Nebraska Senator.

And do you remember Ann Rutledge, the beautiful girl whom Lincoln wanted to marry but who died in New Salem? Well, there's even a Rutledge footnote in Iowa history. The Rutledge family later migrated to Iowa and lived at Birmingham in Mr. Millen's Van Buren County. Robert Rutledge was the sheriff. The Rutledge family is buried at Birmingham.

And any mention of Lincoln lore should include James Faulkner Wilson of Fairfield, Senator Schwengels. Jefferson's Jim Wilson was a notable Congressman and Senator. It was he who sponsored the original emancipation resolution in Congress.

Nine documents in Lincoln's handwriting are in the Historical Building, including the manuscript of his second nomination acceptance speech.

Lincoln never wanted his generals to execute spies and saboteurs. General Grenville Dodge was tough in that regard. He hanged about thirty persons in Missouri. When he caught them, he hanged them, and the spies got the message. They avoided Missouri as much as possible where Dodge was Commanding General in 1865.

At the end of the war, Dodge ordered death for a guerrilla convicted of murder. His mother pleaded with Lincoln for her son's life. The President sent a note to Dodge saying: "Is it possible for you to do anything for this poor woman who is in so much trouble?"

Dodge didn't want to show any mercy. He thought you should set an example so he ordered the execution to proceed. But it never happened. Dodge said later: "That night I received a message from the war department notifying me of Mr. Lincoln being shot."

The mother came to Dodge the next day and asked for the President's card. She had abandoned hope for her son. But Dodge was so grief-stricken that he commuted the sentence to imprisonment.

Dodge was ordered to Springfield, Illinois with his staff and troops for the Lincoln funeral.

"It was the saddest day of my life," he wrote. "The streets were lined with thousands upon thousands of people in great distress and sorrow. At every step we could hear the sobs of the sorrowing crowd. . . . There was hardly a person not in tears and when I looked around at my troops I saw many of them in tears."

It's hard to imagine now what a blow that assassination was to the nation and to Iowa, already deeply wounded by four years of bloody war. Dodge said the streets of St. Louis were deserted for two days after the news. Everything in Iowa came to halt on that April 15, 1865. Business stopped completely in Des Moines. Men gathered and talked in low tones on the street. The old Statehouse was quickly draped in mourning.

The next day, thousands upon thousands from all over Polk and nearby counties gathered in the courthouse square here for a memorial service. The same type of thing happened all over the state and nation. The grief and anger persisted for generations afterward.

We all know the immortal words of Lincoln in such classics as the Gettysburg Address and the Second Inaugural. Here are a couple of lesser known selections I think also are great:

After his 1860 election, while the thrill of victory was still in the Republicans, and before he left Springfield, Lincoln said: "In all our rejoicings, let us neither express nor cherish any hard feelings toward any citizen who by his vote has differed with us. Let us remember at all times that all American citizens are brothers of a common country, and should dwell together in bonds of fraternal feeling."

And while he was President, he said: "I desire to so conduct the affairs of this administration that, if, at the end of time when I come to lay down the reins of power, I have lost every other friend on earth, I shall have at least one friend left, and that friend shall be down inside me."

And is there anything more moving than his talk to the people of Springfield before the train left on that dark day in 1861 on his trip to Washington to be inaugurated?

"My friends, no one not in my situation can appreciate my feeling of sadness at this parting. To this place and the kindness of these people, I owe everything. Here I have lived for a quarter of a century, and have passed from a young to an old man.

"Here my children were born, and one is buried. I now leave, not knowing when or whether ever I may return, with a task greater before me than that which rested upon Washington. Without the assistance of that Divine Being who ever attended him, I can not succeed. With that assistance, I can not fail.

"Trusting in Him, who can go with me and remain with you, and be everywhere for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell."

He never saw Springfield again in life.

We have a rich and inspiring heritage that centers around Mr. Lincoln and the Iowans of his time. May we keep that heritage alive indefinitely. May we never forget it.

I thank you.

Halvorson of Clayton moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Millen in the chair.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 9, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate File 101, an act relating to the registration and licensing of certain vehicles and manufacturers of vehicles by providing a registration fee schedule for ambulances, motor homes, and multipurpose vehicles, by defining a manufacturer of motor vehicles, by licensing certain persons manufacturing, distributing and wholesaling motor vehicles, subject to penalties provided by law.

PROOF OF PUBLICATION
(House File 296)

Published copy of House File 296 and verified proof of publication of said bill in The Sutherland Courier, a weekly newspaper published at Sutherland, O'Brien County, Iowa, on January 28, 1979, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

SPONSOR ADDED
(House Files 175, 205, 206, 207)

Dieleman of Marion requested to be added as a sponsor of House Files 175, 205, 206 and 207.

SPONSORS WITHDRAWN
(House File 241)

De Groot of Lyon requested to be withdrawn as a sponsor of House File 241.

Diemer of Black Hawk requested to be withdrawn as a sponsor of House File 241.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday afternoon, February 9, 1979, when the final vote was taken on Senate Joint Resolution 1.

To paraphrase Nathan Hale, my only regret is that I would have had but one "no" vote to cast against that dangerous and ill-considered threat against our United States Constitution.

PATCHETT of Johnson

I was necessarily absent from the House chamber on Friday afternoon, February 9, 1979. Had I been present, I would have voted "nay" on Senate Joint Resolution 1.

WOODS of Polk

**COMMUNICATION FROM THE
IOWA CITIZENS PRIVACY TASK FORCE**

There is on file in the office of the Chief Clerk a Preliminary Report by the Iowa Citizens Privacy Task Force pursuant to House File 207 of the Sixty-seventh General Assembly.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 155 Judiciary and Law Enforcement

Relating to liability insurance.

S.B. 156 Agriculture

Relating to the maximum assessment set by the Corn Promotion Board, termination of a corn promotional order, and qualifications of organizations receiving allocations from the corn promotion fund.

AMENDMENTS FILED

H-3233	H.F. 222	Daggett of Taylor
H-3234	H.F. 224	Spear of Lee

On motion by Halvorson of Clayton, the House adjourned at 12:06 p.m. until 9:00 a.m., Tuesday, February 13, 1979.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day—Twenty-fifth Session day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 13, 1979

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

Prayer was offered by the Reverend Clair D. Odell, pastor of the Christ United Methodist Church, Davenport, Iowa.

The Journal of Monday, February 12, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Evans, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

PETITIONS FILED

The following petitions were received and placed on file:

By Bennett of Ida, from one hundred ninety-three students from Odebolt-Arthur Community Schools, Odebolt, Iowa, and Poffenberger of Dallas, from thirty-four students from Minburn, Iowa favoring House Concurrent Resolution 8 designating the ladybug as the state insect and declaring that it shall not be needlessly injured or killed.

INTRODUCTION OF BILLS

House Joint Resolution 13, by Schroeder, a joint resolution disapproving the department of agriculture's amendment to the Iowa administrative code 30-6.17 (8) published in the Iowa administrative bulletin of November 1, 1978.

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

House File 298, by Arnould, Jochum, Cusack, Miller, Horn, Binneboese, Welsh, Jesse, Lorenzen, Hansen of O'Brien, Patchett, O'Kane, Clark of Lee, Gettings, Conlon and Lind, a bill for an act prohibiting the use of automated telephone solicitation machines and providing a penalty.

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

House File 299, by Smalley and Crabb, a bill for an act making a person who participates in, finances, or is directly interested in a labor dispute ineligible for certain welfare benefits.

Read first time and referred to committee on **labor and industrial relations**.

House File 300, by Pellett and Poffenberger, a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property.

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

House File 301, by McKean, a bill for an act authorizing township trustees to divide the township into tax districts.

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

House File 302, by Schroeder, a bill for an act regulating signs or other matter advertising beer.

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

House File 303, by Cusack, Avenson, Bina, Bruner, Dieleman, Doyle, Brandt, Welsh, Gettings, Binneboese, Spear, Pavich, Connors, Walter, Norland and Lonergan, a bill for an act relating to the appropriation of federal funds by the general assembly.

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

House File 304, by Horn, a bill for an act permitting latch-open devices on fuel hose nozzle valves.

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

House File 305, by Smalley, a bill for an act to provide for an income tax deduction for tuition.

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

House File 306, by Cusack, Arnould, Bina, Bruner, Brandt, Spear, Connors, Binneboese, Gettings, Patchett and Lonergan, a bill for an act requiring public utilities to include a lifeline rate in tariffs filed with the Iowa state commerce commission.

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

House File 307, by committee on education, a bill for an act relating to authorization for teaching.

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

House File 308, by Husak and McKean, a bill for an act relating to the certification and sale of raw milk, making an appropriation, and subjecting violators to penalties.

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

House File 309, by Connors, a bill for an act creating the office of state licenses, and prescribing its powers and duties.

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

House File 310, by Cusack, a bill for an act prohibiting the termination of utility services to households which have been identified by county boards of social welfare as containing persons who are elderly or handicapped or who are on public assistance, and providing for reimbursement of public utilities by counties out of county general funds, and providing rights of action for enforcement and a monetary penalty.

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

House File 311, by Cusack, a bill for an act requiring public utilities to give to a county board of social welfare notice of intent to terminate utility service to a household containing elderly or handicapped persons or persons on public assistance, and establishing an action for enforcement and a monetary penalty for violations.

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

House File 312, by Patchett, a bill for an act relating to the rule of perpetuities.

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

House File 313, by Spear, a bill for an act to allow the use of the administrative release provisions for complaints which were filed with the Iowa civil rights commission prior to the administrative release provision becoming effective.

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

House File 314, by Cusack, a bill for an act relating to the dismissal from regular employment of persons who are candidates for public office or are elected to public office.

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

House File 315, by Schroeder, Doyle, Hoffmann, Johnson of Linn, Wells, Evans and Thompson, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

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

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 on February 8, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 139, a bill for an act relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the Act retroactive.

FRANK J. STORK, Secretary

ADOPTION OF HOUSE RESOLUTION 11

Pursuant to House Rule 31, the Speaker announced that House Resolution 11, congratulating the city of Spirit Lake, filed on February 5, 1979 and found on page 450 of the House Journal, was adopted by unanimous consent.

**MOTION TO RECONSIDER WITHDRAWN
(House File 2)**

Connolly of Dubuque asked and received unanimous consent to withdraw the motion to reconsider House File 2 filed by him on February 8, 1979.

**UNANIMOUS CONSENT CALENDAR
(House Resolution 12)**

We hereby respectfully request that House Resolution 12, filed on February 6, 1979 and found on page 456 of the House Journal, be placed on the unanimous consent calendar.

TYRRELL of Iowa
SHERZAN of Polk
SMALLEY of Polk

**HOUSE CONCURRENT RESOLUTION 11
By Doyle, Crabb and Clark of Cerro Gordo**

1 *Whereas*, a Penal and Correctional Institutions and
2 County Jails Joint Subcommittee of the Senate Standing
3 Committee on Judiciary and the House Standing Committee
4 on Judiciary and Law Enforcement was established during
5 the 1978 legislative interim and the past many years; and
6 *Whereas*, subcommittee meetings were held at the state-
7 house on such matters as membership on the board of
8 parole, personal property claims of inmates, appearance
9 bonds, compensation of innocent victims of criminal acts,
10 good and honor time provisions, minimum jail standards,
11 distribution of correctional powers and administrative
12 structure of community based corrections; and
13 *Whereas*, it is important to keep the lines of com-
14 munication and exchange open among the Iowa General
15 Assembly, the Department of Social Services and admin-
16 istrators, staff and inmates of the penal institutions
17 and jails, sheriffs, community based corrections, and
18 others involved; *Now Therefore*,
19 *Be It Resolved by the House of Representatives, The*
20 *Senate Concurring*, That the Legislative Council is urged
21 to create an interim joint committee composed of members
22 of both houses of the General Assembly to further study
23 the needs of penal and correctional institutions and
24 county jails and report its findings with appropriate
25 legislation to the Legislative Council and to the
26 General Assembly.

Laid over under Rule 30.

HOUSE RESOLUTION 13

By De Groot

1 *Whereas*, the city of Rock Valley, Iowa is
2 nearing the centennial anniversary of its found-
3 ing as a city; and

4 *Whereas*, the citizens of Rock Valley, Iowa
5 are preparing for a centennial celebration June 28
6 thru July 1, 1979, to commemorate the one-
7 hundredth anniversary of the city's founding;

8 *Now Therefore, Be It Resolved by the House*
9 *of Representatives*, That the membership of the
10 House of Representatives of the Sixty-eighth
11 General Assembly of the State of Iowa extends its
12 heartiest congratulations to the city of Rock
13 Valley, Iowa in commemoration of the centennial
14 anniversary of its founding in this year of 1979; and

15 *Be It Further Resolved*, That a copy of this
16 resolution be forwarded to the Mayor and the
17 citizens of Rock Valley who are in charge of
18 making preparations for the centennial celebration.

Laid over under Rule 30.

COMMITTEE ON NATURAL RESOURCES REASSIGNMENT

Speaker Millen announced that Representative Robert T. Anderson of Jasper County will replace Representative Richard L. Byerly of Polk County as a member of the committee on natural resources.

PROOF OF PUBLICATION

(House File 300)

Published copy of House File 300 and verified proof of publication of said bill in *The Stuart Herald*, a weekly newspaper published at Stuart, in the County of Guthrie, Iowa, on January 18, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

PRESENTATION OF VISITORS

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

Forty eighth grade students from Alden Community School, Alden, Iowa, accompanied by Janet Ziesman. By Welden of Hardin.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 2:30 p.m., February 12, 1979

Convened: 2:30 p.m.

Adjourned: 3:30 p.m.

Present: Shimanek, Chair; Patchett, Ranking Member; Anderson of Audubon, Clark of Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Johnson of Howard, Maulsby, Pelton, Smalley and Walter.

Absent: Arnould (arrived 2:40 p.m.), Jesse, Lloyd-Jones (arrived 2:40 p.m.) and Lonergan (arrived 2:40 p.m.).

Excused: Ritsema, Vice-Chair; and Welsh.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Study Bill 134, relating to the anaerobic bill.

Recommended **Do Pass**.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 61, a bill for an act providing that a defendant awaiting a judgment of conviction and sentencing or appealing a conviction for a class A felony shall not be admitted to bail.

Recommended **Do Pass**.

COMMITTEE ON COMMERCE

House File 131, a bill for an act to increase the maximum interest rate applicable to certain tax anticipatory warrants to six percent.

Recommended Do Pass.

House File 172, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits.

Recommended Do Pass.

Study Bill 127, amending section four hundred seventy six point six (476.6), unnumbered paragraph six (6), of the Code to provide that the rate of interest payable by a public utility on amounts refunded to customers under that paragraph shall be no more than twelve percent per annum, compounded annually.

Recommended Do Pass.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly H.F. 6), a bill for an act to prohibit the use of pneumatic tires with inserted ice grips or tire studs.

Recommended Do Pass.

On motion by Halvorson of Clayton the House adjourned at 9:17 a.m., until 9:00 a.m., Wednesday, February 14, 1979.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day—Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 14, 1979

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

Prayer was offered by the Reverend L.C. Gebhardt, pastor of the Saint John Lutheran Church, May City, Iowa.

The Journal of Tuesday, February 13, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lee Rosebrook, Ames, Iowa.

PRESENTATION OF VISITORS

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

Twenty students from Zion Lutheran School, Ocheyedan, Iowa, accompanied by Pastor Gebhardt. By Hansen of O'Brien.

Thirty seniors from Central Dallas Junior-Senior High School, Minburn, Iowa, accompanied by Mr. Reed. By Poffenberger of Dallas.

PETITION FILED

The following petition was received and placed on file:

By Pellett of Cass from sixty-two students of Bridgewater-Fontanelle School, favoring the ladybug be designated as the state insect.

INTRODUCTION OF BILLS

House File 316, by Daggett, a bill for an act to provide for a refund of sales and use taxes paid on industrial machinery and equipment and making an appropriation.

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

House File 317, by Hanson of Delaware and Shimanek, a bill for an act to authorize the special precinct board to convene to review challenged ballots on the second rather than the third day following certain elections, when the third day is a legal holiday.

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

House File 318, by Harbor, a bill for an act authorizing a corporation licensed under chapter five hundred thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems.

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

House File 319, by Patchett, a bill for an act providing for the distribution of the estate of a decedent who dies intestate.

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

House File 320, by Cusack, Arnould and Bina, a bill for an act to change the time specified by law for holding the city primary election and city political party conventions in special charter cities.

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

House File 321, by Harbor and Husak, a bill for an act relating to eligibility for medical assistance of individuals who are inpatients of a hospital, skilled nursing facility or intermediate care facility and who are eligible for federal supplemental security income in all respects except income level.

Read first time and referred to committee on **human resources**.

House File 322, by McKean and Hinkhouse, a bill for an act relating to the information to be furnished a jury commission for use in drawing jury lists.

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

House File 323, by Horn, a bill for an act relating to noxious weeds.

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

House File 324, by Clark of Lee, a bill for an act to create a new judicial district.

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

House File 325, by Schroeder, a bill for an act relating to the processing exemption under the state sales, services and use tax.

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

House File 326, by Lind, a bill for an act relating to the definition of a consumer credit sale.

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

House File 327, by Cusack and Connolly, a bill for an act relating to leaves of absence for persons who are candidates for election or who are elected to the Iowa general assembly, and providing a penalty.

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

House File 328, by Chiodo, a bill for an act relating to the compensation of precinct election board members.

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

House File 329, by Spear, a bill for an act to permit regulated lending institutions to make reverse annuity mortgage loans on residential property.

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

House File 330, by Shimanek, Krewson, Anderson of Jasper, Larsen, Cochran and Hanson of Delaware, a bill for an act authorizing group insurance, health or medical service for dependents of public employees.

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

House File 331, by Horn, a bill for an act raising the speed limit on fully controlled-access, divided, multilaned highways including the interstate highway system to sixty-five miles per hour.

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

House File 332, by Horn, a bill for an act relating to mandatory school attendance.

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

House File 333, by Horn, a bill for an act relating to the repair of consumer products and providing a penalty.

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

House File 334, by Branstad, a bill for an act relating to the use of force, violence, or threats to impede a person from engaging in lawful employment or educational pursuit and providing penalties.

Read first time and referred to committee on **labor and industrial relations**.

House File 335, by Smalley, a bill for an act regulating contracts by persons subject to chapter five hundred sixty-six A (566A) of the Code, relating to cemeteries, for the sale of personal property or services in connection with the interment of a dead human body, and providing penalties.

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

House File 336, by Davitt, a bill for an act amending section five hundred seventy-two point two (572.2) of the Code to provide that a lien under chapter five hundred seventy-two (572) of the Code does not exist for a subcontractor unless the subcontractor obtains prior written authority to extend credit.

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

**APPOINTMENT TO
MEDICAL ASSISTANCE ADVISORY COUNCIL**

Speaker Millen announced the appointment of Representative Charles H. Bruner of Story County to fill an unexpired term ending June 30, 1979, on the Medical Assistance Advisory Council.

**UNANIMOUS CONSENT CALENDAR
(House Resolution 10)**

We hereby request that House Resolution 10, filed on February 1, 1979 and found on page 433 of the House Journal, be placed on the unanimous consent calendar.

THOMPSON of Polk
DAGGETT of Adams
DANKER of Pottawattamie

**SPONSOR ADDED
(House File 315)**

Branstad of Winnebago requested to be added as a sponsor of House File 315.

**SPONSORS WITHDRAWN
(House File 241)**

Johnson of Woodbury requested to be withdrawn as a sponsor of House File 241.

(House File 241)

Branstad of Winnebago requested to be withdrawn as a sponsor of House File 241.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 157 Judiciary and Law Enforcement

To provide for the Court to make the decision as to whether or not the defendant has a record which would make him subject to the provisions of having to serve one-half of the maximum term before being eligible for parole.

S.B. 158 Judiciary and Law Enforcement

Relating to hearings on termination of parental rights.

S.B. 159 Judiciary and Law Enforcement

Relating to corrections in the Criminal Code.

S.B. 160 Judiciary and Law Enforcement

To authorize the establishment of mutual insurance companies.

S.B. 161 State Government

Relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service.

S.B. 162 Commerce

Relating to the reserve requirements and nonforfeiture provisions for policies of insurance subject to chapter five hundred eight (508) of the Code.

S.B. 163 Commerce

To amend Iowa Banking Act provisions.

S.B. 164 Judiciary and Law Enforcement

Relating to the compensation of shorthand reporters.

S.B. 165 Judiciary and Law Enforcement

Correcting erroneous, inconsistent or obsolete provisions of the Code.

S.B. 166 Cities

Relating to the tort liability of governmental subdivisions.

S.B. 167 Cities

Authorizing cities and counties to issue revenue bonds under

chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility or a voluntary nonprofit hospital.

S.B. 168 Ways and Means

Establishing a tax on beer and liquor.

S.B. 169 Ways and Means

Relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and county.

S.B. 170 Agriculture

To require repairmen of scales or meters used for commercial purposes to pass a qualifying examination conducted by the department of agriculture, and obtain a bond for one thousand dollars.

S.B. 171 Energy

Requiring a life cycle cost analysis for certain government construction projects.

S.B. 172 Judiciary and Law Enforcement

Relating to corrections in the Code pertaining to juvenile justice.

S.B. 173 Human Resources

To require a petition for change of name to include a copy of the petitioner's birth certificate to be forwarded to the state department of health.

S.B. 174 Human Resources

Relating to information required on certificates of marriage.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Study Bill 15, to provide a contribution rate for unemployment compensation benefits for contributing governmental employers.

Recommended **Amend and Do Pass.**

COMMITTEE ON WAYS AND MEANS

Study Bill 73, to authorize the department of revenue to credit tax refunds against the tax liability of a taxpayer.

Recommended **Amend and Do Pass.**

Study Bill 77A, to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law.

Recommended **Do Pass.**

AMENDMENT FILED

H—3235

H.F. 224

Spear of Lee

On motion by Halvorson of Clayton the House adjourned at 9:18 a.m., until 9:00 a.m., Thursday, February 15, 1979.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day — Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 15, 1979

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

Prayer was offered by the Honorable Kenneth De Groot, state representative from Lyon County.

The Journal of Wednesday, February 14, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. H. G. Beatty, Creston, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Linn on request of Maulsby of Calhoun.

PETITIONS FILED

The following petitions were received and placed on file:

By Hall of Linn, from sixty Novak Elementary School students favoring the ladybug be designated as the state insect.

By Howell of Floyd, from thirty-seven students of Nora Springs-Rock Falls Community School favoring House File 297, an act to provide an exemption from the mandatory school year requirement.

INTRODUCTION OF BILLS

House File 337, by committee on commerce, a bill for an act amending section four hundred seventy-six point six (476.6), unnumbered paragraph six (6), of the Code to provide that the rate of interest payable by a public utility on amounts refunded to customers under that paragraph shall be not more than twelve percent per annum, compounded annually.

Read first time and placed on the calendar.

House File 338, by Pavich and Walter, a bill for an act to require that four of the twelve members of the Iowa law enforcement academy council be law enforcement officers.

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

House File 339, by Norland, Anderson of Jasper, Rapp, Oxley, Bina, Arnould, Pavich, Patchett, Brandt, Dieleman, Gettings, Cochran, Connolly, Hall, Perkins, Davitt and Cusack, a bill for an act to provide additional property tax credits to property owners by increasing the homestead tax credit and the agricultural land tax credit, making an appropriation, and making the Act retroactive.

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

House File 340, by Bina, a bill for an act to provide for residual rights of artists in sale of their works of fine art.

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

House File 341, by Welden and Crabb, a bill for an act to schedule the adjournment of the general assembly.

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

House File 342, by Welden, a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment.

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

House File 343, by Hansen of O'Brien, a bill for an act appropriating funds to the commission on aging for distribution to area agencies on aging.

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

House File 344, by Hansen of O'Brien, Branstad, Conlon, Crabb, Crawford, Egenes, Evans, Hanson of Delaware, Hoffmann, Holt, Johnson of Linn, Johnson of Woodbury, Kirkenslager, Lageschulte, Lura, Maulsby, Menke, Mullins, Thompson and Tofte, a bill for an act relating to the reviewing of the need for certain state agencies.

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

House File 345, by Bruner and O'Kane, a bill for an act to eliminate the state sales tax and use tax on minimum essential uses of electricity for residential purposes.

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

House File 346, by Smalley, a bill for an act providing for an additional property tax credit for the elderly and disabled and providing for an appropriation.

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

House File 347, by West, Smalley, Clark of Cerro Gordo, Danker, Anderson of Audubon, Evans, Kirkenslager, Pelton, Harbor, Lind, Corey, Hoffmann, Van Maanen, Egenes, Stromer and Schroeder, a bill for an act providing for a sales and use tax exemption for certain fuels used primarily for residential purposes.

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

House File 348, by Norland, Bina, Perkins, Spear, Dieleman, Doyle, Avenson, Anderson of Jasper, Howell, Binneboese, Connolly and Arnould, a bill for an act relating to the valuation of certain classes of property for tax purposes.

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

House File 349, by Daggett, a bill for an act relating to the support and maintenance of cemeteries owned or maintained by townships.

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

House File 350, by Daggett, Hullinger, Pellett, Davitt and Harbor, a bill for an act to legalize and validate the proceedings of the board of directors of southwestern community college merged area (merged area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under chapter two hundred eighty A (280A) of the Code.

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

House File 351, by Perkins, a bill for an act to eliminate water withdrawal permit exemptions for municipal, industrial and subsurface injection uses.

Read first time and referred to committee on **natural resources**.

House File 352, by Doyle, a bill for an act relating to the regulation by the state department of health of radiopharmaceuticals.

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

House File 353, by Pellett, Doyle, Binneboese, O'Kane, Lonergan, Anderson of Jasper, Krewson, Davitt, Johnson of Woodbury, Perkins and Anderson of Audubon, a bill for an act exempting from the state sales and services tax the gross receipts from services offered at dance schools and studios.

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

House File 354, by Anderson of Jasper, Norland, Bruner, Pavich, Avenson, Dieleman, Patchett, Arnould, Brandt, Lloyd-Jones, Bina, Binneboese, Krewson, Pope, Cusack, Connolly and Spear, a bill for an act providing for a credit against a renter's income tax liability for the rental of a homestead, providing penalties and making a standing appropriation.

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

House File 355, by Van Maanen, a bill for an act to require that a public body hold a public hearing prior to acquiring a railroad right-of-way.

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

House File 356, by Clark of Lee, Spear, Gettings, Larsen, Howell, Dieleman, Johnson of Linn and Poffenberger, a bill for an act relating to the duties of the board of review including the review of reassessments of residential property within the assessing jurisdiction as of January 1, 1978.

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

House File 357, by Brandt, a bill for an act relating to the acceptance of checks by vendors of state liquor stores.

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

House File 358, by Cusack, a bill for an act defining rights of citizens of the state of Iowa serving in the military forces of the United States.

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

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 on February 14, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 158, a bill for an act relating to financial transactions which involve loans of money, extensions of credit and the use of share drafts drawn on credit unions.

FRANK J. STORK, Secretary

HOUSE CONCURRENT RESOLUTION 12

By De Groot

- 1 *Whereas*, it has been the custom to hold a biennial
- 2 memorial session in recognition of the public services
- 3 of departed members of the General Assembly, and
- 4 *Whereas*, both Houses desire to participate in such
- 5 an observance, *Now Therefore*,
- 6 *Be It Resolved by the House of Representatives, the*
- 7 *Senate Concurring*: That an evening session of the Sixty-
- 8 eighth General Assembly be held in the House chamber
- 9 Tuesday evening, March 20, 1979 at 7:30 p.m.
- 10 *Be It Further Resolved*, that a joint committee of
- 11 eight members be appointed, four from the Senate to be
- 12 appointed by the President of the Senate, and four from
- 13 the House to be appointed by the Speaker of the House,
- 14 to make suitable arrangements for a joint memorial session.

Laid over under Rule 30.

**REREFERRED TO COMMITTEE ON
LABOR AND INDUSTRIAL RELATIONS
(House File 330)**

Speaker Millen announced that **House File 330**, previously referred to the committee on **state government**, was rereferred to the committee on **labor and industrial relations**.

**PROOF OF PUBLICATION
(House File 350)**

Published copy of House File 350 and verified proof of publication of said bill in the Creston News Advertiser, a newspaper published at Creston, Union County, Iowa on February 7, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

**SPONSOR ADDED
(House File 331)**

Bina of Scott requested to be added as a sponsor of House File 331.

(House File 297)

Corey of Louisa requested to be added as a sponsor to House File 297.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 175 Human Resources

To amend the certificate of need law enacted in 1977.

S.B. 176 Human Resources

Relating to the licensure and regulation of hospitals.

S.B. 177 Human Resources

To amend the statutes governing support of the mentally ill and the medical assistance programs.

S.B. 178 Commerce

Relating to health and accident policies for newly born children.

S.B. 179 Commerce

Relating to the organization of trust companies whose powers are restricted to those of fiduciaries.

S.B. 180 Ways and Means

Relating to the imposition of an excise tax on the use of aviation fuel and providing penalties.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 1:30 p.m., February 14, 1979

Convened: 1:35 p.m.

Adjourned: 2:35 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Jesse, Johnson of Howard, Lloyd-Jones, Lonergan, Maulsby, Pelton and Rapp.

Absent: Patchett, ranking member (arrived 1:45 p.m.); Doyle (arrived 1:30 p.m.), Smalley (arrived 2:05 p.m.), Walter (arrived 2:00 p.m.) and Welsh (arrived 1:45 p.m.).

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

House File 173, a bill for an act relating to the elections required for imposing a hotel and motel tax.

Recommended **Amend and Do Pass**.

H-3237

- 1 Amend House File 173 as follows:
- 2 1. Page 1, line 5, by striking the word "revise"
- 3 and inserting in lieu thereof the word "increase".
- 4 2. Page 1, line 6, by striking the word "revision"
- 5 and inserting in lieu thereof the words "the increase".

Study Bill 109, relating to charges for parking meter violations in cities.

Recommended **Do Pass**.

Study Bill 110, relating to the investment of cemetery perpetual care funds by cities.

Recommended **Do Pass**.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 70, a bill for an act to establish a senior judge system.

Recommended **Amend and Do Pass**.

H-3236

- 1 Amend Senate File 70, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 2, by inserting after line 33 the
- 4 following:
- 5 "4. The supreme court shall cause each senior
- 6 judge on the roster to actually perform judicial
- 7 duties during each successive twelve-month period."
- 8 2. Page 3, by striking lines 2 and 3 and in-
- 9 serting in lieu thereof the words "shall be paid
- 10 an annuity under".

Fiscal note is required.

On motion by Halvorson of Clayton, the House adjourned at 9:13 a.m., until 9:00 a.m., Friday, February 16, 1979.

JOURNAL OF THE HOUSE

Fortieth Calendar Day — Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 16, 1979

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

Prayer was offered by the Reverend Herbert Gould, pastor of the Union Park United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, February 15, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. D. J. Walter, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Schroeder of Pottawattamie; Lonergan of Boone on request of Crabb of Crawford and Bruner of Story on request of Hullinger of Decatur.

INTRODUCTION OF BILLS

House File 359, by Cusack, Bina, Spear, Pavich, Arnould and Dieleman, a bill for an act to provide limited tax incentives for the improvement, repair, and maintenance of residential property by allowing a five-year tax moratorium for certain improvements to buildings and by requiring that real estate be assessed as if repairs and maintenance had been performed, with certain exceptions.

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

House File 360, by Clark of Cerro Gordo and Poffenberger, a bill for an act transforming judicial election districts two A and two B into two entirely separate judicial districts.

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

House File 361, by Lonergan and Connors, a bill for an act relating to the appointment of interpreters for persons with speech or hearing impairments.

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

House File 362, by Schroeder, a bill for an act relating to the hours of sale, dispensation or consumption of beer or alcoholic beverages in a border city premises covered by a liquor control license or beer permit.

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

House File 363, by Cusack, Avenson, Arnould, Bina, Bruner, Connolly, Dieleman, Wells, Connors, O'Kane, Welsh, Lonergan, Patchett, Norland, Gettings, Sherzan, Binneboese, Doyle, Chiodo, Spear, Woods, Pavich and Walter, a bill for an act providing for an additional homestead credit for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older or persons totally disabled with incomes of eight thousand dollars or less and providing for an appropriation.

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

House File 364, by Dieleman, a bill for an act to provide an exemption from the sales and fuel tax on motor fuel and special fuel sold to private schools or their contracted carriers in vehicles used for the transportation of students.

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

House File 365, by Connolly, a bill for an act to establish the employee and community assistance administration requiring prior notice to affected employees and communities of business closings, relocations, and reductions of operations, requiring businesses to make discharge payments to employees who lose their jobs and to make payments to communities affected by a closing, relocation, or reduction of operations and providing a penalty.

Read first time and referred to committee on **labor and industrial relations**.

House File 366, by Norland, a bill for an act relating to the responsibility for paying the cost of moving, building or rebuilding certain facilities at points where a drainage district improvement crosses a public road.

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

House File 367, by Spear and Clark of Lee, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county.

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

House File 368, by committee on judiciary and law enforcement, a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation.

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

House File 369, by committee on labor and industrial relations, a bill for an act to provide a contribution rate for unemployment compensation benefits for contributing governmental employers.

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

House File 370, by Horn, a bill for an act relating to speeding violations for ten miles per hour or less over the legal limit.

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

House File 371, by Horn, a bill for an act relating to suspension of operator or chauffeur licenses.

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

House File 372, by Doyle, Crabb and Clark of Cerro Gordo, a bill for an act abolishing the state prison industries advisory board.

Read first time and referred to committee on **human resources**.

House File 373, by West, Hansen of O'Brien, Welden, Pope, Daggett, Johnson of Linn, Holt, Lind, Danker, Schnekloth, Stromer, Pelton, Egenes, Kirkenlager, Evans, Clark of Cerro Gordo, McKean, Larsen, Menke, Hanson of Delaware, Tofte, Shimanek, Hoffmann and Thompson, a bill for an act relating to the elderly and disabled reimbursement for property taxes paid or rent constituting property taxes paid by extending the deadline for filing, altering the reimbursement schedule and clarifying provisions.

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

House File 374, by Hansen of O'Brien, a bill for an act relating to the issuance and renewal of teacher certificates.

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

House File 375, by Doyle and Schroeder, a bill for an act altering the exemption from the state sales, service and use tax of the gross receipts from the sale of motor and special fuels consumed on the highways or in watercrafts.

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

House File 376, by Jay, a bill for an act authorizing the board of supervisors to impose a coal severance tax and providing a penalty.

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

House File 377, by Clark of Cerro Gordo, Hibbs, Hall, Connolly, Lloyd-Jones, Davitt, Kirkenlager, Poffenberger, Lorenzen, Hoffmann, Egenes, Howell and Krewson, a bill for an act relating to policies of boards of directors of school districts concerning the residence of employees.

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

House File 378, by Hullinger, a bill for an act relating to the parking of motor vehicles in spaces designated for handicapped persons and providing a penalty.

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

House File 379, by Spear, a bill for an act relating to an increase in the state share of the cost for sewage treatment facilities of local governments.

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

House File 380, by Hansen of O'Brien, Mullins, Clark of Cerro Gordo, McKean, Danker, Crawford, Poffenberger, Hanson of Delaware and Egenes, a bill for an act to enact the uniform class actions Act.

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

House File 381, by Hoffmann, Bina, Connors, Johnson of Howard, Lind, Woods, Crabb, Kirkenslager, Hummel, Bennett, Daggett, Van Maanen, Shull, Hinkhouse, Binneboese, Lonergan, Hullinger, Husak, Pavich, Harbor, Danker, Perkins, Johnson of Linn, Maulsby, Oxley, Halvorson of Webster, Holt, Davitt, Chiodo, Swearingen, Lura, Hanson of Delaware, Larsen, Arnould, Pellett, Diemer, O'Kane, Groth, Anderson of Audubon, Wells, Hibbs, Clark of Cerro Gordo, Mullins, Hall, Gettings, Jochum, Thompson, Horn, Dieleman, Walter, Tyrrell and Ritsema, a bill for an act requiring the use of understandable language and meaningful sequence of terms in consumer agreements, and providing a civil penalty.

Read first time and referred to committee on **human resources**.

House File 382, by Horn, a bill for an act relating to the ownership and custody of X-rays and providing a penalty.

Read first time and referred to committee on **human resources**.

House File 383, by West, Hansen of O'Brien, Welden, Krewson, Crabb, Swearingen, Tyrrell, Holt, Shimanek, Anderson of Audubon, Schroeder, Harbor, Evans, Clark of Cerro Gordo, Danker, Hoffmann, De Groot, Menke, Tofte and Larsen, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

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

House File 384, by Evans, a bill for an act to change the method of electing commissioners of memorials under certain circumstances.

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

House File 385, by Horn, a bill for an act to establish county school districts with component high school districts and to prescribe their governance.

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

House File 386, by Smalley, a bill for an act allowing a deduction for income tax purposes of attorney's fees in cases where persons are not convicted of crimes.

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

House File 387, by Doyle, a bill for an act providing for the suspension of a person's authority to operate a motor vehicle pursuant to an order of the district court rendered after the person fails to appear in response to a citation which charges an offense involving the operation of a motor vehicle or fails to satisfy a subsequent judgment ordering payment of a fine.

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

House File 388, by Danker, a bill for an act relating to civil actions against manufacturers, sellers or lessors of products.

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

House File 389, by Pelton, a bill for an act relating to judicial review of agency actions.

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

House File 390, by Thompson, a bill for an act to allow an income tax deduction for expenses incurred in performing voluntary services.

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

House File 391, by Bennett, a bill for an act granting the owner of land acquired by eminent domain or where eminent domain is available the option to repurchase the land not used for the project.

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

House File 392, by Schroeder, a bill for an act relating to the circumstances in which the body of a victim may be removed from the wreckage of a motor vehicle or aircraft without authorization of the county medical examiner or the state medical examiner.

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

House File 393, by Cusack, Brandt, Connolly, Arnould and Bina, a bill for an act authorizing a city to establish a mortgage loan program and to issue revenue bonds to fund the program.

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

House File 394, by Hall, a bill for an act permitting qualified organizations as defined in section ninety-nine B point seven (99B.7) of the Code to offer either a new car or a pickup truck, irrespective of value, as the merchandise prize in an annual raffle held under the provisions of subsection one (1), paragraph d of that section.

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

House File 395, by Hansen of O'Brien and Hinkhouse, a bill for an act relating to investments in obligations of the United States farm credit system by persons whose investments are restricted by the laws of this state.

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

House File 396, by Mullins, a bill for an act to authorize municipal support for the establishment of corporate headquarters of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements.

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

House File 397, by Perkins, a bill for an act relating to the appointment and compensation of the clerks of the district court.

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

House File 398, by Danker and Crabb, a bill for an act to provide for the construction of an overpass in the city of Missouri Valley on United States highway thirty by the state department of transportation.

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

House File 399, by Danker, Johnson of Linn, Diemer, Harbor, Tyrrell, Lind and Johnson of Howard, a bill for an act to extend the effective date of chapter one thousand one hundred sixty-two (1162), Acts of the Sixty-seventh General Assembly, 1978 Session, relating to the imposition of mandatory deposits on certain beverage containers.

Read first time and referred to committee on **natural resources**.

House File 400, by Spear, a bill for an act to eliminate the requirement that a school district maintain twelve grades.

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

House File 401, by Lind, Rapp, Diemer and Brandt, a bill for an act relating to the exemption from the state sales and fuel tax of motor and special fuel sold to private schools and nonprofit agencies.

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

House File 402, by Egenes, a bill for an act relating to attorney notices of subrogation to the department of social services under the medical assistance program.

Read first time and referred to committee on **human resources**.

House File 403, by Gettings, a bill for an act relating to the certificate of title of motor vehicles requiring, in certain instances, that

repairs to the motor vehicle be indicated on the certificate of title, and providing a penalty.

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

House File 404, by Doyle, a bill for an act relating to the membership of the board of adjustment.

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

House File 405, by Rapp, a bill for an act granting health maintenance organizations a permanent exemption from the tax on premiums imposed in section four hundred thirty-two point one (432.1) of the Code.

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

House File 406, by Brandt, a bill for an act to provide for the establishment of emergency shelter services and support services for victims of domestic abuse.

Read first time and referred to committee on **human resources**.

House File 407, by Hullinger, a bill for an act relating to the removal of plants from the endangered or threatened species list.

Read first time and referred to committee on **natural resources**.

House File 408, by Patchett, Horn, Jochum, Binneboese, Hinkhouse, Pavich, Rapp, Norland, Bina, Cochran, Howell, Halvorson of Webster, Groth, Chiodo, Arnould, Bruner, Dieleman, O'Kane, Cusack, Brandt and Jay, a bill for an act relating to the computation of weighted enrollment under the school foundation plan.

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

House File 409, by West, Pope, Johnson of Linn, Ritsema, Clark of Cerro Gordo, McKean and Hanson of Delaware, a bill for an act to provide a reimbursement for rent constituting property taxes paid for persons eighteen years of age or older with household incomes of less than six thousand dollars and making an appropriation.

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

House File 410, by Byerly, a bill for an act providing for temporary service by retired district associate judges and magistrates.

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

House File 411, by Byerly, a bill for an act relating to the payment of attorneys fees for collective bargaining.

Read first time and referred to committee on **labor and industrial relations**.

House File 412, by Byerly, a bill for an act relating to identification of students receiving assistance from state or federal funds for certain programs.

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

House File 413, by Horn, a bill for an act relating to mandatory school attendance, including penalties.

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

House File 414, by West, Hansen of O'Brien, Conlon, Crabb, Johnson of Linn, Tyrrell, Johnson of Howard, Lind, Tofte, Clark of Cerro Gordo, McKean, Hoffmann, Hanson of Delaware, Menke, Larsen, Thompson, Evans, Kirkenlager, Egenes, Pelton and Stromer, a bill for an act to provide for a reduction in the semiannual mobile home tax for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older or persons totally disabled.

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

House File 415, by Anderson of Jasper, a bill for an act relating to the preparation of proposed budgets by state departments.

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

House File 416, by West, Hansen of O'Brien, Lageschulte, Mullins, Daggett, Johnson of Woodbury, Ritsema, Branstad, Stromer, Clark of Lee, Swearingen, Tyrrell, Johnson of Howard, Holt, Corey, Maulsby, Schnekloth, Pelton, Menke, Bennett,

Schroeder, Harbor, Pellett, Egenes, Evans, Clark of Cerro Gordo, McKean, Danker, Anderson of Audubon, Larsen, Tofte, De Groot, Shimanek, Crawford, Hanson of Delaware, Van Maanen and Hoffmann, a bill for an act to value agricultural land for property tax purposes on the basis of productivity and net earning capacity.

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

House File 417, by Horn, a bill for an act raising the speed limit on all highways to sixty-five miles per hour.

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

House File 418, by Chiodo and Jesse, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another.

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

House File 419, by Horn, a bill for an act relating to the use of golf carts on municipal streets by elderly persons.

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

SENATE MESSAGE CONSIDERED

Senate File 158, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties.

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

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 on February 14, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 9, a bill for an act relating to motor fuel tax credits.

Also: That the Senate has on February 14, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 98, a bill for an act to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

FRANK J. STORK, Secretary

HOUSE CONCURRENT RESOLUTION 13
By Committee on Natural Resources

1 *Whereas*, the general assembly created the temporary
2 state land preservation policy commission in the passage
3 of Acts of the Sixty-seventh General Assembly, 1977
4 Session, chapter fifty-three (53), which is now chapter
5 ninety-three A (93A) of the Code; and

6 *Whereas*, section ninety-three A point four (93A.4),
7 subsection three (3), of the Code requires that the
8 temporary state land preservation policy commission
9 file a report by March 1, 1979 of its recommendations
10 of a land preservation policy and its implementation
11 with the general assembly; and

12 *Whereas*, the general assembly finds that the
13 temporary state land preservation policy commission
14 is unlikely to produce a report of the quality con-
15 templated by the general assembly by March 1, 1979;
16 and

17 *Whereas*, the general assembly finds that it would
18 be better served by having a more complete and thor-
19 oughly prepared report; *Now Therefore*,

20 *Be It Resolved by the House of Representatives, the*
21 *Senate Concurring*, That the general assembly, pursuant
22 to section ninety-three A point four (93A.4), subsec-
23 tion three (3), of the Code grants the temporary state
24 land preservation policy commission an extension of
25 four months in the time required for the completion of
26 its statutory obligations; and

27 *Be It Further Resolved*, That the temporary state land
28 preservation policy commission is instructed to submit
29 a report by March 1, 1979 which is suitable for use by
30 the committees on natural resources in drafting a study
31 bill for legislative consideration.

Laid over under Rule 30.

HOUSE RESOLUTION 14

By Miller and Hummel

- 1 *Whereas*, the Archdiocesan Council of Catholic
2 Women of the Archdiocese of Dubuque annually observes
3 a "Week of Prayer" for the members of the General
4 Assembly; and
5 *Whereas*, the Week of Prayer for this year is being
6 held from February eighteenth through February twenty-
7 fourth, and
8 *Whereas*, many special services will be held through-
9 out the Archdiocese; *Now Therefore*,
10 *Be It Resolved by the House of Representatives*,
11 that the members of the General Assembly express their
12 appreciation for the Week of Prayer and for the special
13 Mass.

Laid over under Rule 30.

SPONSOR WITHDRAWN

(House File 241)

Schneklath of Scott requested to be removed as a sponsor of House File 241.

SPONSOR ADDED

(House File 201)

Hanson of Delaware requested to be added as a sponsor of House File 201.

(House File 350)

Jay of Appanoose requested to be added as a sponsor of House File 350.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 181 Commerce

To provide for the regulation of residential service companies by the commissioner of insurance and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 11

State Government: Lura, Chair; Hinkhouse and Johnson of Woodbury.

House Joint Resolution 12

State Government: Branstad, Chair; Hoffmann and Bina.

House Joint Resolution 13

Agriculture: Schroeder, Chair; Davitt and Anderson of Audubon.

House File 88

Ways and Means: Evans, Chair; Shull and Connolly.

House File 142

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 154

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

House File 161

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum, Connolly and Conlon.

House File 163

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 175

Ways and Means: Evans, Chair; Shull and Connolly.

House File 184

Agriculture: Hummel, Chair; Hinkhouse and Van Maanen.

House File 185

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

House File 190

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 191

Ways and Means: West, Chair; Schneklath, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 193

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 195

Labor and Industrial Relations: Thompson, Chair; Welden and Horn.

House File 197

Labor and Industrial Relations: Pope, Chair; Menke, Holt, Connors and Wells.

House File 198

Labor and Industrial Relations: Egenes, Chair; Corey and Connors.

House File 199

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 200

State Government: Swearingen, Chair; Stromer and Woods.

House File 203

Labor and Industrial Relations: Holt, Chair; Kirkenslager and Byerly.

House File 205

Judiciary and Law Enforcement: Patchett, Chair; Clark of Cerro Gordo and Hibbs.

House File 206

Judiciary and Law Enforcement: Pelton, Chair; Holt and Rapp.

House File 207

Judiciary and Law Enforcement: Pelton, Chair; Holt and Rapp.

House File 208

Judiciary and Law Enforcement: Patchett, Chair; Clark of Cerro Gordo and Hibbs.

House File 211

State Government: Johnson of Woodbury, Chair; Stromer and Dieleman.

House File 213

State Government: Lura, Chair; Hansen of O'Brien and Lloyd-Jones.

House File 217

State Government: Shimanek, Chair; Lloyd-Jones and Anderson of Audubon.

House File 218

Labor and Industrial Relations: Conlon, Chair; Lorenzen and Byerly.

House File 219

State Government: Anderson of Audubon, Chair; Shimanek and Brandt.

House File 220

Natural Resources: Menke, Chair; Van Maanen and Cochran.

House File 221

County Government: Danker, Chair; Binneboese and Clark of Lee.

House File 224

Natural Resources: Pellett, Chair; Tofte and Groth.

House File 227

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 228

Labor and Industrial Relations: Kirkenslager, Chair; Corey and Connolly.

House File 232

Natural Resources: Larsen, Chair; Welsh and Holt.

House File 235

State Government: Branstad, Chair; Stromer and Bina.

House File 238

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 240

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 242

Judiciary and Law Enforcement: Hibbs, Chair; Clark of Cerro Gordo and Doyle.

House File 245

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 249

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

House File 252

Labor and Industrial Relations: Pope, Chair; Holt, Menke, Connors and Wells.

House File 255

Transportation: Schnekloth, Chair; Cusak, Gettings and Schroeder.

House File 258

Human Resources: Lind, Chair; Husak and Arnould.

House File 260

Commerce: Hibbs, Chair; Pope and Woods.

House File 262

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 263

Natural Resources: Johnson of Woodbury, Chair; Jay and McKean.

House File 265

State Government: Anderson of Audubon, Chair; Shimanek and Hinkhouse.

House File 266

State Government: Shimanek, Chair; Swearingen and Woods.

House File 267

Agriculture: De Groot, Chair; Husak, Anderson of Audubon, Bennett and Hinkhouse.

House File 268

Agriculture: De Groot, Chair; Husak, Anderson of Audubon, Bennett and Hinkhouse.

House File 269

Commerce: Crabb, Chair; Swearingen and Woods.

House File 270

Commerce: Ritsema, Chair; Johnson of Linn and Walter.

House File 272

Judiciary and Law Enforcement: Rapp, Chair; Holt and Ritsema.

House File 275

Natural Resources: Tyrrell, Chair; Holt and O'Kane.

House File 277

Natural Resources: Tyrrell, Chair; Holt and O'Kane.

House File 279

Commerce: Hibbs, Chair; Pope and Woods.

House File 280

Labor and Industrial Relations: Corey, Chair; Lorenzen and Connolly.

House File 281

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 282

Judiciary and Law Enforcement: Shimanek, Chair; Pelton, Jesse, Ritsema and Patchett.

House File 283

Judiciary and Law Enforcement: Patchett, Chair; Johnson of Howard and Jesse.

House File 286

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 288

Labor and Industrial Relations: Holt, Chair; Corey and Horn.

House File 289

Labor and Industrial Relations: Welden, Chair; Tofte and Wells.

House File 292

State Government: Anderson of Audubon, Chair; Lageschulte and Walter.

House File 294

State Government: Hibbs, Chair; Anderson of Audubon and Halvorson of Webster.

House File 295

Human Resources: Mullins, Chair; Shimanek and Sherzan.

House File 296

Judiciary and Law Enforcement: Ritsema, Chair; Pelton and Walter.

House File 298

Commerce: Pope, Chair; Dieleman and Evans.

House File 301

County Government: Branstad, Chair; Welsh and Smalley.

House File 304

Agriculture: Corey, Chair; Chiodo and Bennett.

House File 306

Commerce: Pope, Chair; Dieleman and Ritsema.

House File 308

Agriculture: De Groot, Chair; Husak and Corey.

House File 310

Commerce: Crabb, Chair; Bina and Shull.

House File 311

Commerce: Crabb, Chair; Bina and Shull.

House File 315

Commerce: Hibbs, Chair; Evans and Woods.

House File 321

Human Resources: Maulsby, Chair; Spear and Horn.

House File 326

Commerce: Shull, Chair; Chiodo and Swearingen.

House File 333

Commerce: Johnson of Linn, Chair; Ritsema and Walter.

House Concurrent Resolution 8

State Government: Crawford, Chair; Stromer and Brandt.

Senate File 70

Judiciary and Law Enforcement: Shimanek, Chair; Patchett, Pelton, Walter and Anderson of Audubon.

Senate File 81

Transportation: Pellett, Chair; Lageschulte and Hullinger.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 66**

Education: Johnson of Woodbury, Chair; Lura, Krewson, Spear and Perkins.

Study Bill 67

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

Study Bill 68

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

Study Bill 98

State Government: Hoffmann, Chair; Lura and Brandt.

Study Bill 101

County Government: Hanson of Delaware, Chair; Connolly and Johnson of Howard.

Study Bill 102

County Government: Hanson of Delaware, Chair; Howell and Johnson of Howard.

Study Bill 103

County Government: Swearingen, Chair; Welsh and Branstad.

Study Bill 112

Cities: Johnson of Linn, Chair; Bina, Brandt, Halvorson of Webster, Krewson, Larsen and Lorenzen.

Study Bill 114

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

Study Bill 115

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

Study Bill 117

Labor and Industrial Relations: Pope, Chair; Holt, Menke, Connors and Wells.

Study Bill 124

County Government: Johnson of Linn, Chair; Doyle and Shull.

Study Bill 129

Ways and Means: Hanson of Delaware, Chair; Branstad and Connolly.

Study Bill 130

Cities: Johnson of Linn, Chair; Bina, Brandt, Halvorson of Webster, Krewson, Larsen and Lorenzen.

Study Bill 135

Human Resources: Lind, Chair; Husak and Arnould.

Study Bill 137

Human Resources: Lind, Chair; Husak and Arnould.

Study Bill 138

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Study Bill 139

Natural Resources: Smalley, Chair; Perkins, Tofte, Holt and Hall.

Study Bill 140

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

Study Bill 141

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

Study Bill 142

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

Study Bill 143

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

Study Bill 144

Judiciary and Law Enforcement: Patchett, Chair; Lonergan and Maulsby.

Study Bill 145

Judiciary and Law Enforcement: Jesse, Chair; Anderson of Audubon and Smalley.

Study Bill 146

Judiciary and Law Enforcement: Ritsema, Chair; Arnould and Corey.

Study Bill 147

Judiciary and Law Enforcement: Conlon, Chair; Johnson of Howard and Rapp.

Study Bill 148

Judiciary and Law Enforcement: Pelton, Chair; Lloyd-Jones and Conlon.

Study Bill 149

Judiciary and Law Enforcement: Ritsema, Chair; Arnould and Corey.

Study Bill 150

Judiciary and Law Enforcement: Lloyd-Jones, Chair; Holt and Arnould.

Study Bill 151

Judiciary and Law Enforcement: Jesse, Chair; Anderson of Audubon and Smalley.

Study Bill 152

Judiciary and Law Enforcement: Jesse, Chair; Johnson of Howard and Hibbs.

Study Bill 153

Judiciary and Law Enforcement: Doyle, Chair; Corey and Arnould.

Study Bill 154

Judiciary and Law Enforcement: Ritsema, Chair; Patchett and Anderson of Audubon.

Study Bill 155

Judiciary and Law Enforcement: Smalley, Chair; Jesse and Hibbs.

Study Bill 156

Agriculture: Bennett, Chair; Sherzan and Corey.

Study Bill 157

Judiciary and Law Enforcement: Doyle, Chair; Hibbs and Lonergan.

Study Bill 158

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Conlon.

Study Bill 159

Judiciary and Law Enforcement: Shimanek, Chair; Jesse and Hibbs.

Study Bill 160

Judiciary and Law Enforcement: Smalley, Chair; Jesse and Hibbs.

Study Bill 161

State Government: Hoffmann, Chair; Dieleman, Lura, Branstad and Bina.

Study Bill 162

Commerce: Evans, Chair; Chiodo and Crabb.

Study Bill 163

Commerce: Crabb, Chair; Chiodo and Schroeder.

Study Bill 164

Judiciary and Law Enforcement: Corey, Chair; Arnould and Hibbs.

Study Bill 165

Judiciary and Law Enforcement: Johnson of Howard, Chair; Lloyd-Jones and Conlon.

Study Bill 166

Cities: Poffenberger, Chair; Crabb, Diemer, Groth, Hall, O'Kane and Tyrrell.

Study Bill 167

Cities: Johnson of Linn, Chair; Bina, Brandt, Halvorson of Webster, Krewson, Larsen and Lorenzen.

Study Bill 170

Agriculture: Tyrrell, Chair; Anderson of Jasper and Crabb.

Study Bill 171

Energy: Smalley, Chair; Mullins and Perkins.

Study Bill 172

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Conlon.

Study Bill 173

Human Resources: Maulsby, Chair; Spear and Horn.

Study Bill 174

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Study Bill 175

Human Resources: Maulsby, Chair; Spear and Horn.

Study Bill 176

Human Resources: Maulsby, Chair; Spear and Horn.

Study Bill 177

Human Resources: Maulsby, Chair; Spear and Horn.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Study Bill 39, to extend the relationship of corporations buying agricultural land.

Recommended **Do Pass**.

COMMITTEE ON COMMERCE

House File 93, a bill for an act relating to the time allowed for renewal of a real estate apprentice salesperson's license.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 82, relating to countersignatures on insurance policies.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 84, relating to the amount of capital and surplus required for insurance companies to transact business in Iowa.

Recommended **Amend and Do Pass**.

Fiscal note is not required.

COMMITTEE ON EDUCATION

House File 92, a bill for an act relating to the member of the law enforcement academy council from the college aid commission.

Recommended **Do Pass**.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 69), to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes.

Recommended **Amend and Do Pass**.

COMMITTEE ON NATURAL RESOURCES

House File 22, a bill for an act relating to cost-sharing funds for mandated soil conservation projects.

Recommended **Do Pass**.

House Concurrent Resolution 13, relating to granting the temporary state land preservation policy commission an extension of four months.

Recommended **Do Pass**.

Fiscal note is not required.

On motion by Halvorson of Clayton, the House adjourned at 9:47 a.m., until 9:00 a.m., Tuesday, February 20, 1979.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day—Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 20, 1979

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

Prayer was offered by Father Lloyd White, pastor of the Saint Rose of Lima Catholic Church, Denison, Iowa.

The Journal of Friday, February 16, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dale Christensen, Lake City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer on request of Pellett of Cass; Binneboese of Plymouth, for the morning, on request of Hinkhouse of Cedar; Menke of O'Brien on request of De Groot of Lyon.

PETITION FILED

The following petition was received and placed on file:

By Millen of Van Buren, from forty students from Libertyville, Iowa favoring House Concurrent Resolution 8 designating the ladybug as the state insect.

INTRODUCTION OF BILLS

House File 420, by committee on ways and means, a bill for an act to authorize the department of revenue to credit gas and franchise tax refunds against the tax liability of a taxpayer.

Read first time and placed on the ways and means calendar.

House File 421, by committee on ways and means, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law.

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

House File 422, by Lloyd-Jones, a bill for an act relating to conservation easements.

Read first time and referred to committee on **natural resources**.

House File 423, by Evans, a bill for an act to permit a corporation and its principal stockholders to be considered separate customers by state banks.

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

House File 424, by Byerly, a bill for an act requiring the department of revenue to have a placard printed and distributed to all retail sales tax permit holders stating that a minimum of five years must be served upon conviction of a forcible felony in which a gun was used and making an appropriation.

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

House File 425, by Connors, a bill for an act relating to the fee collected by officials for reporting fires.

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

House File 426, by Brandt, a bill for an act relating to the issuance of individual life insurance policies upon the termination of group eligibility due to death or dissolution of marriage.

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

House File 427, by Johnson of Linn, Woods and Horn, a bill for an act relating to the sale of wine and creating a license therefor.

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

House File 428, by Larsen, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

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

House File 429, by Hall, a bill for an act to require that vacancies in elective city offices be filled by appointment only for the period until the next succeeding city election.

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

House File 430, by Schnekloth, Lorenzen, Diemer, Branstad, Crabb, Danker, Harbor, Corey, Schroeder, Anderson of Audubon, Welden, Bennett and Stromer, a bill for an act relating to voting requirements for the certification of employee organizations for public employees.

Read first time and referred to committee on **labor and industrial relations**.

House File 431, by Woods and Johnson of Linn, a bill for an act establishing a maximum civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or if the distribution results in intoxication.

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

House File 432, by Pope, a bill for an act relating to the administration of a historical preservation district in a city having a zoning commission.

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

House File 433, by Pope, Howell, Dieleman, Tofte and Diemer, a bill for an act creating a voluntary licensing program for persons engaging in certain plumbing works.

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

House File 434, by Rapp, a bill for an act relating to liabilities arising out of the ownership, maintenance or use of certain motor vehicles, and providing mandatory benefits for victims of motor vehicle accidents without regard to fault, mandatory protection against loss due to liabilities, certain limitations in actions for damages arising out of the ownership, maintenance or use of motor vehicles, and administrative procedures, and providing penalties.

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

House File 435, by Egenes, a bill for an act relating to new car and used car inspection requiring at least one front and one rear wheel to be removed for inspection.

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

House File 436, by Kirkenlager and Hibbs, a bill for an act relating to the sale of wine and creating a license therefor.

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

House File 437, by Horn, a bill for an act prohibiting adding a gratuity to a bill of a customer of a restaurant or hotel, or withholding a portion of an employee's gratuities, and providing penalties.

Read first time and referred to committee on **labor and industrial relations**.

House File 438, by Pavich, Walter, Miller, Perkins and Wells, a bill for an act relating to mobile home park buildings.

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

House File 439, by Rapp, Bruner and Jochum, a bill for an act requiring certain public utilities to offer interest free loans to customers for insulating residential dwellings and allowing depreciation of the annual costs of the program by the public utility.

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

House File 440, by Connolly, a bill for an act to change the date of the regular school election from the second Tuesday in September of each year to the first Tuesday after the first Monday in November of each odd-numbered year, and adjusting the terms of office of certain elective school officers accordingly.

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

House File 441, by Byerly, a bill for an act relating to the safety of persons working in manholes subject to applicable penalties.

Read first time and referred to committee on **labor and industrial relations**.

House File 442, by Patchett, Horn, Jochum, Rapp, Norland, Groth, Arnould, Bruner, O'Kane, Bina, Cusack, Brandt and Jay, a bill for an act relating to the schoolhouse tax.

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

House File 443, by Hullinger, a bill for an act relating to the financing of local governmental programs with an income tax surtax.

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

House File 444, by Woods and Chiodo, a bill for an act to provide that the board of supervisors determine the rate of mileage expense reimbursement for county officers and employees.

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

House File 445, by Woods and Pavich, a bill for an act relating to the exemption from property taxation of improvements made to residential property.

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

House File 446, by Woods, a bill for an act authorizing the board of supervisors to appropriate funds from the general fund of the county to assist in the construction of a bridge within the corporate limits of a city.

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

House File 447, by Krewson, a bill for an act to delete from the list of features required of electronic voting systems approved for use in Iowa the requirement that the voting punch device be constructed so as to notify an elector who makes an error in marking the ballot.

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

House File 448, by Connors, Bina, Krewson and Sherzan, a bill for an act allowing cities to certify a tax for the general fund levy for solid waste disposal systems and collection systems.

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

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 on February 16, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 168, a bill for an act relating to the rate of the fee upon turkeys delivered for processing.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 4, a bill for an act relating to theft of library materials and providing a penalty.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 28, a bill for an act to delete all placement investigation requirements in stepparent adoptions.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 88, a bill for an act making a technical amendment to section one hundred fifty-six point nine (156.9), subsection three (3) of the Code, for the purpose of continuing the law as it existed prior to amendment in 1978.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 160, a bill for an act relating to the collection of delinquent taxes on buildings located on leased land.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 163, a bill for an act relating to regulated carriers by providing temporary operating authority for regulated carriers, requiring interstate carriers to register and instituting an insurance requirement for exempt carriers.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 164, a bill for an act relating to the movement of vehicles of excessive size by permit subject to penalties provided by law.

Also: That the Senate has on February 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 176, a bill for an act repealing chapter three hundred twenty-three (323) of the Code, relating to franchises of distributors and dealers of motor fuels and special fuels.

Also: That the Senate has on February 15, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 205, a bill for an act relating to certain natural resource agencies of the state and the regulation and use of natural resources by reorganizing the department of environmental quality.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 9, a bill for an act relating to motor fuel tax credits.

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

Senate File 98, a bill for an act to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

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

Senate File 205, a bill for an act relating to certain natural resource agencies of the state and the regulation and use of natural resources, by reorganizing the department of environmental quality; creating an environmental quality commission; transferring the powers and duties of the executive committee, air quality commission, water quality commission, and solid waste disposal commission to the environmental quality commission; by transferring the powers and duties of the chemical technology commission to the department of agriculture; abolishing the geology board and amending provisions of chapter three hundred five (305) of the Code relating to the duties of the state geologist and expense reimbursement for the state geologist and employees of the geological survey; making coordinating amendments to the Code; and subjecting violators to penalties.

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

ADOPTION OF HOUSE RESOLUTION 12

Pursuant to House Rule 31, the Speaker announced that House Resolution 12, congratulating the city of North English, filed on February 6, 1979 and found on page 456 of the House Journal, was adopted by unanimous consent.

SPONSOR ADDED (House File 345)

Bina of Scott requested to be added as a sponsor of House File 345.

SPONSOR WITHDRAWN (House File 241)

Johnson of Linn requested to be withdrawn as a sponsor of House File 241.

REREFERRED TO COMMITTEE ON STATE GOVERNMENT (House File 302)

Speaker Millen announced that **House File 302**, previously referred to the committee on **transportation**, was rereferred to the committee on **state government**.

**REREFERRED TO COMMITTEE ON COMMERCE
(House File 396)**

Speaker Millen announced that **House File 396**, previously referred to the committee on **cities**, was rereferred to the committee on **commerce**.

**REREFERRED TO COMMITTEE ON COUNTY GOVERNMENT
(House File 397)**

Speaker Millen announced that **House File 397**, previously referred to the committee on **state government**, was rereferred to the committee on **county government**.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 10:45 a.m., February 16, 1979

Convened: 10:45 a.m.

Adjourned: 11:25 a.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Conlon, Corey, Doyle, Hibbs, Johnson of Howard, Lloyd-Jones, Mulsby, Pelton, Rapp, Smalley, Walter and Welsh.

Absent: Arnould, Clark of Cerro Gordo (arrived 11:00 a.m.), Jesse and Lonergan.

Excused: Holt.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

House File 174, a bill for an act to increase the membership and voting requirements of the boards of adjustment of cities.

Recommended Amend and Do Pass.

H—3239

- 1 Amend House File 174 as follows:
- 2 1. Page 1, by striking line 4 and inserting in
- 3 lieu thereof the words "of five or seven members as
- 4 determined by the council. each to Members of a five
- 5 member board shall be appointed for a term of five".
- 6 2. Page 1, line 6, by striking the words "~~one~~
- 7 ~~member two members~~ and inserting in lieu thereof the
- 8 words "one member".
- 9 3. Page 1, line 7, by striking the words "~~one~~
- 10 ~~two~~" and inserting in lieu thereof the word "one".
- 11 4. Page 1, line 9, by inserting after the word
- 12 "year." the words "Members of a seven-member board
- 13 shall be appointed for a term of five years, except
- 14 when the board shall first be created two members
- 15 shall be appointed for a term of five years, two
- 16 members for a term of four years, one for a term of
- 17 three years, one for a term of two years, and one
- 18 for a one-year term. A five-member board shall not
- 19 carry out its business without having three members
- 20 present and a seven-member board shall not carry out
- 21 its business without having four members present.
- 22 5. Page 1, line 15, by striking the words "~~three~~
- 23 ~~four~~" and inserting in lieu thereof the word "three".
- 24 6. Page 1, line 16, by inserting after the word
- 25 "board" the words "in the case of a five-member board,
- 26 and four members in the case of a seven-member board.".
- 27 7. Page 1, line 22, by striking the words "to
- 28 be appointed to a" and inserting in lieu thereof the
- 29 words "which may be appointed to increase a five-
- 30 member".
- 31 8. Page 1, line 23, by striking the words "existing
- 32 on" and inserting in lieu thereof the words "to a

- 33 seven-member board after".
 34 9. Title page, lines 1 and 2, by striking the
 35 words "to increase the membership and voting
 36 requirements of" and inserting in lieu thereof the
 37 words "relating to the membership of".

COMMITTEE ON COMMERCE

Study Bill 163, to amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans.

Recommended Amend and Do Pass.

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Study Bill 146, relating to notice of appraisal and results of appraisal for inheritance tax purposes.

Recommended Do Pass.

Fiscal note is not required.

Study Bill 149, relating to the final report of the personal representative of a decedent's estate.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON TRANSPORTATION

House File 97, a bill for an act relating to the time period for maintaining proof of motor vehicle financial responsibility.

Recommended Do Pass.

Fiscal note is not required.

Senate File 81, a bill for an act to permit the use of temporary signs to notify the public of community events.

Recommended Do Pass.

AMENDMENTS FILED

H—3238

S.F. 158

Johnson of Linn

H—3240

S.F. 158

Miller of Buchanan

H-3241	S.F. 158	Miller of Buchanan Pavich of Pottawattamie
H-3242	H.F. 224	Spear of Lee
H-3243	H.F. 356	Spear of Lee

On motion by Halvorson of Clayton the House adjourned at 9:52 a.m., until 9:00 a.m., Wednesday, February 21, 1979.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day — Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 21, 1979

The House met pursuant to adjournment, Speaker pro tempore Harbor of Mills in the chair.

Prayer was offered by the Reverend Fred A. Richardson, pastor of the Morley Faith United Methodist Church, Olin, Iowa.

The Journal of Tuesday, February 20, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Arel Lund, Marshalltown, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kirkenslager of Des Moines on request of Hoffmann of Muscatine.

PRESENTATION OF VISITORS

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

Thirty-five fifth grade students from Western Hills Elementary School, West Des Moines, Iowa. By Thompson of Polk.

Sixty eighth grade students from Sacred Heart Junior High School, West Des Moines, Iowa, accompanied by Bob Hardin. By Thompson of Polk.

One hundred twenty eighth grade students from Perry Junior High School, Perry, Iowa, accompanied by Tom Forbes. By Poffenberger of Dallas.

PETITIONS FILED

The following petitions were received and placed on file:

By Bruner of Story, from five hundred thirteen constituents of the forty-first district; by Clark of Cerro Gordo, from twenty-six children of Sunset Elementary School, Clear Lake, Iowa; and by Walter of Pottawattamie from forty-three grade school children of Tinley Elementary School in district one hundred urging that the ladybug be designated the state insect and that it shall not be needlessly injured or killed in the state of Iowa.

INTRODUCTION OF BILLS

House File 449, by Arnould, Krewson, Cusack and Jochum, a bill for an act decriminalizing the possession of one hundred grams or less of marijuana and providing penalties.

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

House File 450, by committee on agriculture, a bill for an act relating to the responsibilities of a person who acquires a railroad right-of-way outside of a city or contiguous to agricultural land in a city.

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

House File 451, by committee on agriculture, a bill for an act to prohibit certain corporations and certain trusts from acquiring or leasing agricultural land in Iowa, providing an enforcement mechanism therefor and providing a penalty.

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

House File 452, by committee on cities, a bill for an act relating to charges for parking meter violations in cities.

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

House File 453, by committee on cities, a bill for an act relating to the investment of cemetery perpetual care funds by cities.

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

House File 454, by committee on commerce, a bill for an act relating to countersignatures on insurance policies.

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

House File 455, by committee on commerce, a bill for an act relating to the amount of capital and surplus required for insurance companies to transact business in Iowa.

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

House File 456, by committee on transportation, a bill for an act to allow the use of tires with inserted ice grips or tire studs upon payment of a fee.

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

House File 457, by Cochran, Avenson, Binneboese, Connolly, Cusack, Davitt, Groth, Dieleman, Gettings, Halvorson of Webster, Hall, Horn, Hullinger, Jay, Jesse, Oxley, Patchett, Pavich and Spear, a bill for an act appropriating funds to the legislative oversight bureau.

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

House File 458, by Poffenberger and Pope, a bill for an act to provide for the implementation of agreements to arbitrate disputes, to provide minimum standards for arbitration procedures and rules for review of arbitration awards, and to subject violators to penalties.

• Read first time and referred to committee on **labor and industrial relations.**

House File 459, by Byerly, a bill for an act relating to the payment of interest on deposits of public funds.

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

House File 460, by Evans and Dieleman, a bill for an act to authorize life insurance companies and associations under chapter five hundred eleven (511) of the Code to invest in fixed interest-bearing obligations of certain financial companies and obligations of foreign governments, subject to certain limitations.

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

House File 461, by Rapp, a bill for an act relating to employer-employee contracts entered into between doctors and hospitals in the provision of pathology and radiology services.

Read first time and referred to committee on **human resources**.

House File 462, by Evans and Chiodo, a bill for an act relating to valuation standards and nonforfeiture provisions for policies of insurance subject to chapters five hundred eight (508) and five hundred twelve (512) of the Code.

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

House File 463, by Connors, Lonergan, Husak, Pavich and Byerly, a bill for an act establishing divisions of industry and agriculture, Iowa products, and personal history within the Iowa state historical department, and providing for their duties and administration.

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

House File 464, by Patchett, Horn, Jochum, Rapp, Norland, Groth, Arnould, Bruner, O'Kane, Bina, Cusack, Brandt, Anderson of Jasper and Jay, a bill for an act relating to school funding providing for an adjusted enrollment, recomputation of the state cost per pupil, modification of the school enrichment aid taxing provisions and expansion of the use of the prior appropriations to the school budget review committee for declining enrollment.

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

House File 465, by committee on judiciary and law enforcement, a bill for an act relating to notice of appraisal and results of appraisal for inheritance tax purposes.

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

House File 466, by Rapp, Bruner and Jochum, a bill for an act relating to electrical utility rate schedules.

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

House File 467, by McKean, a bill for an act requiring certain in-

urers and their agents to provide information concerning medicare benefits and private insurance benefits supplementing medicare, and making a violation subject to a penalty.

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

House File 468, by Thompson, a bill for an act to provide a procedure for leasing a portion of a school building.

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

House File 469, by Connors, a bill for an act relating to apparel provided to employees by employers.

Read first time and referred to committee on **labor and industrial relations**.

House File 470, by committee on human resources, a bill for an act to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes.

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

House File 471, by Hansen of O'Brien, a bill for an act relating to local advisory councils for vocational education.

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

House File 472, by Egenes, a bill for an act relating to the number of stations that can be called by a customer of a telephone company for a certain fee.

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

House File 473, by Egenes, a bill for an act requiring telephone companies to offer reduced toll plans to its customers.

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

House File 474, by Egenes, a bill for an act relating to the purchase of telephone companies.

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

House File 475, by Arnould and Bruner, a bill for an act relating to the allocation of public utility lobbying costs.

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

House File 476, by Harbor, a bill for an act to allow an investment tax credit to individual and corporate taxpayers in this state.

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

House File 477, by Harbor and Husak, a bill for an act relating to availability of emergency hospital treatment to seriously ill and injured persons without delay for the purpose of determining their ability to pay, and authorizing county boards of supervisors to contract for certain hospital services, including emergency services, to indigent residents of the county.

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

House File 478, by Avenson, a bill for an act to establish an outdoor congress and making an appropriation.

Read first time and referred to committee on **natural resources**.

House File 479, by Woods, Howell and Chiodo, a bill for an act relating to the establishment of minimum prices for the retail sale of beer.

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

House File 480, by Cusack, a bill for an act providing for election of the members of the commerce commission.

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

House File 481, by Avenson, a bill for an act relating to the imposition of a tax on sporting goods and recreational vehicles.

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

House File 482, by Avenson, a bill for an act creating two divisions of the veterinary diagnostic laboratory and appropriating funds for additional services.

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

House File 483, by Lonergan, a bill for an act relating to hunting in road rights-of-way and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

House File 484, by Cusack, a bill for an act relating to rates and charges levied by public utilities.

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

House File 485, by Thompson, a bill for an act to require fiscal notes on proposed legislation and administrative rules which impose increased expenditures or fiscal liability, or reduce the revenues, of the political subdivisions of this state, and to provide for delayed effective dates.

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

House File 486, by Thompson, a bill for an act to provide an income tax credit for contributions made to institutions of higher learning within this state.

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

House File 487, by Cusack, a bill for an act increasing the bonding authority of the Iowa housing finance authority to five hundred million dollars.

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

House File 488, by Tofte, a bill for an act relating to the state individual income tax on income derived from annuities received from the United States civil service retirement and disability trust fund.

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

House File 489, by committee on judiciary and law enforcement, a bill for an act relating to the final report of the personal representative of a decedent's estate.

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

House File 490, by De Groot, Menke, Branstad, Van Maanen, Evans, Crabb, Anderson of Audubon, Maulsby, Hibbs, Pelton, Mullins, Dieleman, Schnekloth, McKean, Holt, Pellett, Hullinger, Perkins, Hansen of O'Brien, Schroeder, Cochran and Stromer, a bill for an act creating a school district assistance fund, providing for the deposit of certain fines and forfeitures in the fund, specifying the method of apportionment of the proceeds in the fund and providing penalties.

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

House File 491, by Clark of Lee, a bill for an act to allow the deduction of certain dividends by corporations in computing net income for state corporate income tax purposes.

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

House File 492, by Evans, a bill for an act to require county treasurers to reimburse interest paid on tax anticipatory warrants.

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

SENATE MESSAGES CONSIDERED

Senate File 4, a bill for an act relating to theft of library materials and providing a penalty.

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

Senate File 28, a bill for an act to delete all placement investigation requirements in stepparent adoptions.

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

Senate File 88, a bill for an act making a technical amendment to section one hundred fifty-six point nine (156.9), subsection three (3) of the Code, for the purpose of continuing the law as it existed prior to amendment in 1978.

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

Senate File 160, a bill for an act relating to the collection of delinquent taxes on buildings located on leased land.

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

Senate File 163, a bill for an act relating to regulated carriers by providing temporary operating authority for regulated carriers, by establishing uniform regulatory controls for certain commercial carriers, and by requiring interstate carriers exempt from interstate commerce commission regulations to register in this state and instituting an insurance requirement for exempt carriers.

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

Senate File 164, a bill for an act relating to the movement of vehicles of excessive size by permit subject to penalties provided by law.

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

Senate File 176, a bill for an act repealing chapter three hundred twenty-three (323) of the Code, relating to franchises of distributors and dealers of motor fuels and special fuels.

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

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 on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 107, a bill for an act relating to the establishment of tuition rates for school districts.

Also: That the Senate has on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 152, a bill for an act relating to determination of the salaries of deputy sheriffs.

Also: That the Senate has on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 190, a bill for an act relating to the perfection and enforcement of a mechanic's lien.

Also: That the Senate has on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 203, a bill for an act relating to the duties of the state department of transportation by designating the department as the agency to receive and disburse federal funds allocated to the state for transportation.

Also: That the Senate has on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 204, a bill for an act relating to the registration and titling of nonresident vehicles and specially constructed or reconstructed vehicles.

FRANK J. STORK, Secretary

ADOPTION OF HOUSE RESOLUTION 10

Pursuant to House Rule 31, the Speaker announced that House Resolution 10, congratulating the city of Elliott, filed on February 1, 1979 and found on page 433 of the House Journal, was adopted by unanimous consent.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 13

Smalley of Polk called up for consideration House Concurrent Resolution 13, granting the temporary state land preservation policy commission a four-month extension for completion of statutory obligations under Section 93A.4 (3) of the Code, filed on February 16, 1979 and found on page 586 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 13)

Smalley of Polk asked and received unanimous consent to immediately message House Concurrent Resolution 13 to the Senate.

APPOINTMENTS TO
POLICE COMMUNICATIONS REVIEW COMMITTEE

The Speaker announced the following appointments to the Police Communications Review Committee: Representative Sonja Larsen of Wapello County, Representative Robert M. L. Johnson of Linn County and Representative James D. Wells of Linn County.

HOUSE CONCURRENT RESOLUTION 14

By Harbor, Husak, Pellett, Cochran, Hinkhouse and Crabb

1 *Whereas*, there is a need for research and experi-
2 mentation in the western cornbelt to determine the
3 effects of intensive intertilled crop production
4 on soil tilth and soil structure; and
5 *Whereas*, it is necessary to determine the effect
6 of intensive row crop production on the seedbed
7 environment, and to determine soil and water loss
8 under continuous intertilled row cropping systems;
9 and
10 *Whereas*, it is necessary to determine the impact
11 of improved management and cultural practices upon
12 nonpoint source pollution from corn and soybean
13 land; and
14 *Whereas*, there is a need to develop alternative
15 minimum tillage systems, reduce the reliance on
16 chemical pesticides, and reduce power and energy
17 requirements in crop production; *Now Therefore*,
18 *Be It Resolved by the House of Representatives, the*
19 *Senate Concurring*, That the General Assembly urge the
20 governor of Iowa, the administrative officers and staff of
21 Iowa state university of science and technology, the state
22 department of soil conservation, the state department of
23 agriculture, the members of the Iowa congressional delegation,
24 and the United States department of agriculture to exercise
25 their joint efforts to establish a regional soil tilth
26 laboratory at Ames, Iowa; and
27 *Be It Further Resolved*, That copies of this resolution
28 be forwarded to the persons or agencies named in this
29 resolution or the appropriate person representing such
30 agencies.

Laid over under Rule 30.

SPONSOR ADDED
(House File 160)

Bina of Scott requested to be added as a sponsor of House File 160.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 182 Judiciary and Law Enforcement

To repeal Chapter 503, Code 1979.

S.B. 183 Judiciary and Law Enforcement

Relating to the regulation of securities transactions.

S.B. 184 State Government

Making various additions and revisions to current election laws.

S.B. 185 Natural Resources

To allow the director of the state conservation commission to contract for the removal of rough fish.

S.B. 186 Human Resources

Relating to the use of polygraph examinations as a condition of employment.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House Joint Resolution 13, a joint resolution disapproving the department of agriculture's administrative code 30-6.17 (8) published in the Iowa administrative bulletin of November 1, 1978.

Recommended **Amend and Do Pass.**

H—3244

- 1 Amend House Joint Resolution 13 as follows:
- 2 1. Page 1, line 8 by striking the words "ex-
- 3 cessively restrictive" and inserting in lieu thereof
- 4 the word "excessive".

COMMITTEE ON COUNTY GOVERNMENT

Study Bill 6, to create a special study committee on county statutes and joint county-municipal corporation government, and to make an appropriation.

Recommended **Do Pass.**

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 98), a bill for an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax.

Recommended **Amend and Do Pass.**

Study Bill 47A, relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the levying of a tax to aid in the payment of the bonds.

Recommended **Amend and Do Pass.**

AMENDMENT FILED

H—3245

H.F. 418

Thompson of Polk

On motion by Halvorson of Clayton the House adjourned at 9:42 a.m., until 9:00 a.m., Thursday, February 22, 1979.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day — Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 22, 1979

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

Prayer was offered by the Reverend Leonard Deaver, pastor of the First United Methodist Church, Knoxville, Iowa.

The Journal of Wednesday, February 21, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, Council Bluffs, Iowa.

PETITIONS FILED

The following petitions were received and placed on file:

By Anderson of Jasper, from one hundred and eighteen elementary students from East Elementary School, Pleasantville, Iowa, favoring House Concurrent Resolution 8, naming the ladybug the state insect.

By Bina of Scott from twenty-three residents of Davenport and Bettendorf who are members of the Iowa Citizen Labor Energy Coalition favoring restructuring of utility rates, creation of an office of consumer rate counsel, and drafting of a consumer bill of rights for Iowa.

By Corey of Louisa, from sixty constituents of the eighty-third district favoring House File 297 which provides an exemption from the mandatory school year requirement.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

Smalley of Polk called up for consideration House Concurrent Resolution 4 relating to printing of intergovernmental reports and to adopt rules, filed on January 19, 1979 and found on page 247 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 12

De Groot of Lyon called up for consideration House Concurrent Resolution 12, providing for a biennial memorial service on March 20, filed on February 15, 1979 and found on page 571 of the House Journal, and moved its adoption.-

The motion prevailed and the resolution was adopted.

INTRODUCTION OF BILLS

House Joint Resolution 14, by Danker, a joint resolution proposing an amendment to the Constitution of the state of Iowa to limit state and local expenditures and to provide certain exemptions.

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

House Joint Resolution 15, by Anderson of Jasper, a joint resolution proposing an amendment to the Constitution of the state of Iowa relating to the power of the people to propose and enact or reject statutes.

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

House Joint Resolution 16, by committee on county government, a joint resolution to create a special study committee on county statutes and to make an appropriation.

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

House File 493, by Bina, a bill for an act providing a formula for the state funding of urban areas and providing for a standing appropriation.

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

House File 494, by Cusack, a bill for an act to impose an additional tax on certain gains from the sale or exchange of real property, and imposing penalties for violations.

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

House File 495, by Walter, a bill for an act relating to the monitoring of employees by employers and providing penalties.

Read first time and referred to committee on **labor and industrial relations**.

House File 496, by Hoffmann, a bill for an act to exclude social security benefits from the computation of income for persons qualified to file for reimbursement for property taxes paid or rent constituting property taxes paid.

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

House File 497, by Crawford, a bill for an act providing for the refund of any state sales, service and use taxes paid after January 1, 1973 by a municipal solid waste facility and divisions, boards, commissions, agencies and instrumentalities of state, federal, county or municipal governments.

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

House File 498, by committee on agriculture, a bill for an act relating to separation distances of anaerobic lagoons used in animal feeding operations.

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

House File 499, by Hansen of O'Brien and Connors, a bill for an act relating to the payment of hospitalization and medical benefits for certain retired employees of police and fire departments.

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

House File 500, by Krewson, a bill for an act relating to the submission of general obligation bonds to the voters, including the percent needed for passage and the time necessary for resubmission.

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

House File 501, by Cusack, a bill for an act relating to the issuance of environmental impact statements.

Read first time and referred to committee on **natural resources**.

House File 502, by Cusack, a bill for an act prohibiting the construction of a nuclear power plant in this state for five years and providing for enforcement and penalties.

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

House File 503, by Cusack, a bill for an act relating to the state housing code, and providing penalties.

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

House File 504, by Cusack, a bill for an act relating to the labeling of appliances according to energy consumed and providing a penalty.

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

House File 505, by Jay, a bill for an act to exempt certain compensation from the maximum salary limitations for a deputy sheriff.

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

House File 506, by Cusack, a bill for an act granting to retail beer permittees and liquor licensees the right to conduct business between the hours of eleven thirty a.m. on Sunday and two a.m. on Monday, and repealing the Sunday sales privilege and the special license fees therefor.

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

House File 507, by Bruner, a bill for an act relating to minimum basic utility user charges for residential gas and electric customers.

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

House File 508, by Norland, a bill for an act to require the filing of a claim to receive the agricultural land tax credit and the disallowing of the claim by a nonresident alien.

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

House File 509, by Bruner, a bill for an act including the provision of energy conservation promotional and assistance programs as a required service of certain public utilities.

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

House File 510, by Cusack, a bill for an act prohibiting certain public utilities from charging customers who are sixty-five years of age or older a penalty for late payment of a bill.

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

House File 511, by Pellett, a bill for an act relating to the shooting of rifles and shotguns over public waters, road rights-of-way and railroad rights-of-way and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

House File 512, by Arnould, Krewson, Cusack, Jochum, Clark of Cerro Gordo, Bruner and Rapp, a bill for an act authorizing the use of marijuana, tetrahydrocannabinols and chemical derivatives of tetrahydrocannabinol for limited medical purposes.

Read first time and referred to committee on **human resources**.

House File 513, by Pellett, a bill for an act increasing the number of days for which per diem is allowed for members of the state soil conservation committee.

Read first time and referred to committee on **natural resources**.

House File 514, by Sherzan, a bill for an act relating to compensating business entities which lose business profits as a direct result of a state road construction or improvement project.

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

House File 515, by Cusack, a bill for an act relating to the advertising of tobacco, alcoholic liquors, and proprietary medicines.

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

House File 516, by Oxley, Wells and Hall, a bill for an act to repeal the provision for additional compensation to the county treasurer and other elected county officers in certain counties.

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

House File 517, by Danker, Tyrrell and Johnson of Howard, a bill for an act establishing the penalties of death or life imprisonment for certain offenses and prescribing procedures therefor.

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

House File 518, by Howell, a bill for an act to prohibit the application of a pesticide within one thousand feet of another person's dwelling or an enclosure containing domestic animals owned by another person without giving notice, and to provide a penalty for violations.

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

House File 519, by Hansen of O'Brien and Woods, a bill for an act relating to limitations on out-of-state bank holding companies.

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

House File 520, by Tyrrell, a bill for an act relating to the registration fee for new or used cars by prisoners of war of the second world war, the Korean conflict, and the Vietnam conflict.

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

House File 521, by Jochum, a bill for an act relating to the franchise tax disallowing a deduction for franchise taxes paid.

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

House File 522, by Connors, a bill for an act relating to the office of notary public and other offices.

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

House File 523, by Oxley, a bill for an act authorizing the board of supervisors to provide office space for the county surveyor or engineer at a location other than the county seat.

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

House File 524, by Hibbs, a bill for an act to provide property tax reimbursement to political subdivisions in which the assessed valuation of state property is ten percent or more of the assessed valuation of all taxable real estate in the political subdivision, and providing an appropriation.

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

House File 525, by Sherzan, a bill for an act relating to pre-placement investigations for adoptions of minors.

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

House File 526, by Dieleman, a bill for an act to provide an income tax credit for contributions made to certain institutions of higher learning and to public libraries located within this state.

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

House File 527, by Cusack, a bill for an act relating to age discrimination in employment.

Read first time and referred to committee on **labor and industrial relations**.

House File 528, by Welden, a bill for an act relating to the approval or disapproval of fire and casualty insurance rate filings by the commissioner of insurance.

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

House File 529, by Hibbs, a bill for an act relating to the liability for damages of an owner of a motor vehicle.

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

House File 530, by Smalley, a bill for an act relating to the dispensing of prescription drugs and other drugs and medicines by medical practitioners.

Read first time and referred to committee on **human resources**.

House File 531, by Krewson, a bill for an act relating to the number of bank offices which banks located in certain cities may establish.

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

House File 532, by Davitt, a bill for an act limiting the amount of premium that insurers who issue life insurance policies or annuity contracts may collect for the year during which the death of the insured or the annuitant occurs.

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

House File 533, by Anderson of Jasper, a bill for an act providing a credit against individual income tax liability for the purchase and installation of alternative energy systems.

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

House File 534, by Connolly, a bill for an act relating to the use of public buildings for political caucuses.

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

House File 535, by Connolly, a bill for an act to change the date of the regular school election from the second Tuesday in September of each year to the first Tuesday after the first Monday in November of each odd-numbered year, and adjusting the terms of office of certain elective school officers accordingly.

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

House File 536, by Anderson of Jasper, a bill for an act limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes.

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

House File 537, by Harbor, a bill for an act relating to the recovery of costs and attorney's fees in actions to recover payment on a check.

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

House File 538, by Lloyd-Jones, a bill for an act relating to the conduct of public servants regarding investments, income and gifts and providing penalties.

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

House File 539, by Hibbs, a bill for an act relating to minimum charges retained under section five hundred thirty-seven point two thousand five hundred ten (537.2510), subsection three (3) of the Code upon the prepayment of a consumer credit transaction.

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

House File 540, by Thompson, Perkins and Krewson, a bill for an act relating to employment for the state by persons who receive salaries from a political subdivision of the state.

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

House File 541, by Howell, a bill for an act relating to the licensing of plumbers.

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

House File 542, by Howell, a bill for an act to establish a procedure for the abandonment of water wells.

Read first time and referred to committee on **natural resources**.

House File 543, by Jochum, Bina, Arnould, Patchett and Connolly, a bill for an act relating to the termination of utility services of residential customers during the months of November through March and providing a penalty.

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

House File 544, by Anderson of Jasper, Chiodo, Shull, Groth, West, Husak, Norland, Avenson, Krewson, Jochum, Diemer, Dieleman, Cochran, Hullinger, Howell, Hinkhouse, Jay, Lonergan, Conlon, Lura and Pavich, a bill for an act providing for the deduction of the federal income tax liability for the tax year in computing the state individual income tax for that tax year.

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

House File 545, by Anderson of Jasper, Avenson, Jay, Davitt, Chiodo, Brandt, Connolly, Norland, Connors, Binneboese, Bina, Lloyd-Jones, Howell, Dieleman, Pavich and Arnould, a bill for an act relating to cash awards to state employees for suggestions to improve the efficiency and reduce expenditures of state government and making an appropriation.

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

House File 546, by Miller, a bill for an act to provide for payment by the state of the deductible portion of hospital or medical costs incurred under the federal medicare program by certain low-income elderly persons.

Read first time and referred to committee on **human resources**.

House File 547, by Howell, a bill for an act to establish standards for water well construction and pumping equipment installation, by regulating contractors involved in these fields, providing penalties and making an appropriation.

Read first time and referred to committee on **natural resources**.

House File 548, by Byerly, a bill for an act authorizing the director of general services to invite bids for purchases from only small businesses on certain purchases.

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

House File 549, by Horn, a bill for an act making a standing appropriation to the office for planning and programming to provide for grants to assist in the weatherization of residential, commercial and industrial buildings and allocating sales and use tax revenues from the sale of gas, electricity and heat to a separate fund.

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

House File 550, by Byerly, a bill for an act relating to the grading and moisture content of grain.

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

House File 551, by Lonergan, Connors, Husak, Pavich, Chiodo, Jay, Bruner, Byerly, Avenson, Horn and Jochum, a bill for an act prohibiting the lender or creditor in a consumer credit transaction from requiring the debtor to purchase credit life or credit health insurance, and providing penalties.

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

House File 552, by Bennett, a bill for an act providing that the market value in the ordinary course of trade of agricultural land for state inheritance tax purposes shall be determined on the basis of its use for agricultural purposes.

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

House File 553, by Norland, a bill for an act reducing the excise tax on motor fuels and special fuels.

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

House File 554, by Rapp, a bill for an act relating to the sale of policies of accident and sickness insurance, and providing penalties.

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

House File 555, by Anderson of Jasper, a bill for an act relating to priority treatment for unemployment benefit recipients utilizing the state employment service.

Read first time and referred to committee on **labor and industrial relations**.

House File 556, by Thompson, a bill for an act relating to registration of motor vehicles.

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

House File 557, by Bruner, Pope, Krewson, Lloyd-Jones, Crawford and Jochum, a bill for an act relating to family and conjugal visits for inmates of penal and correctional institutions.

Read first time and referred to committee on **human resources**.

House File 558, by Connors, a bill for an act requiring reimbursement by the state to cities for fire protection provided for state-owned facilities located within the corporate limits of cities.

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

House File 559, by Anderson of Jasper, a bill for an act to provide for periodic review of regulated occupations by the general assembly.

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

SENATE MESSAGES CONSIDERED

Senate File 107, a bill for an act relating to the establishment of tuition rates for school districts.

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

Senate File 152, a bill for an act relating to determination of the salaries of deputy sheriffs.

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

Senate File 190, a bill for an act relating to the perfection and enforcement of a mechanic's lien.

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

Senate File 203, a bill for an act relating to the duties of the state department of transportation by designating the department as the agent to receive and disburse federal funds allocated to the state and its political subdivisions for transportation purposes by providing for use of funds deposited in the state aviation fund, and by providing for notice where the department refuses to issue a certificate of registration or special certificate for aircraft.

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

Senate File 204, a bill for an act relating to the registration and titling of non-resident vehicles and specially constructed or reconstructed vehicles.

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

HOUSE RESOLUTION 15

By Husak

- 1 *Whereas*, the city of Grinnell, Iowa is nearing the
- 2 one hundred twenty-fifth anniversary of its founding as
- 3 a city; and
- 4 *Whereas*, the citizens of Grinnell, Iowa are pre-
- 5 paring for a celebration from March 13th to July 4th 1979,
- 6 to commemorate the one hundred twenty-fifth anniversary of
- 7 the city's founding and
- 8 *Whereas*, the celebration is to culminate with a
- 9 celebration on July 4, 1979; *Now Therefore*,
- 10 *Be It Resolved by the House of Representatives*, That
- 11 the membership of the House of Representatives of the Sixty-
- 12 eighth General Assembly of the State of Iowa extends its
- 13 heartiest congratulations to the city of Grinnell, Iowa in
- 14 commemoration of the 125th anniversary of its founding in
- 15 this year of 1979; and
- 16 *Be It Further Resolved*, That a copy of this resolution
- 17 be forwarded to the mayor and the citizens of Grinnell,
- 18 Iowa who are in charge of making preparations for the 125th
- 19 anniversary celebration.

Laid over under Rule 30.

PRESENTATION OF VISITORS

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

Sixty-five fifth and sixth grade students from St. Marys Elementary School, St. Marys Iowa, accompanied by Carrie Barr and Steve Sullivan. By Davitt of Warren.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 187 Transportation

Relating to comparative negligence of the operator or rider of a motorcycle.

S.B. 188 County Government

Relating to the renewal of motor vehicle registrations requiring payment of delinquent traffic and parking fines.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 12:30 p.m., February 21, 1979

Convened: 12:45 p.m.

Adjourned: 1:35 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Arnould, Clark of Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Jesse, Lonergan, Maulsby, Pelton, Smalley, Walter and Welsh.

Absent: Patchett, ranking member (arrived 12:50 p.m.); Anderson of Audubon, Johnson of Howard, Lloyd-Jones (arrived 12:55 p.m.) and Rapp (arrived 12:50 p.m.).

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON ENERGY

Study Bill 31, relating to discrimination by utilities against customers who use alternate energy sources.

Recommended **Do Pass**.

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly Study Bills 155 and 160), relating to products liability insurance coverage and to authorize the establishment of mutual insurance companies for the purpose of protecting parties in the chain of manufacture or distribution of products against products liability losses, and requiring certain companies to report annually specified information relating to claims, premiums, income and expense ratios, and other matters pertaining to the costs of writing these types of insurance.

Recommended **Do Pass**.

Fiscal note is required.

AMENDMENTS FILED

H—3246	H.F. 148	Tyrrell of Iowa
H—3247	H.F. 198	Tofte of Winneshiek
H—3248	H.F. 97	Miller of Buchanan

On motion by Halvorson of Clayton the House adjourned at 9:22 a.m., until 10:00 a.m., Friday, February 23, 1979.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day — Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 23, 1979

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

Prayer was offered by the Reverend Debra Kiesy, pastor of the Richland and Ollie United Methodist Churches, Richland, Iowa.

The Journal of Thursday, February 22, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago on request of Lura of Marshall; Crabb of Crawford on request of Husak of Tama; Johnson of Howard on request of Tyrrell of Iowa; Bina of Scott on request of Cochran of Webster; Dieleman of Marion on request of Howell of Floyd.

PRESENTATION OF VISITORS

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

Six students from Nishna Valley Community School, Hastings, Iowa, accompanied by Mr. Carroll Duysen. By Harbor of Mills.

Thirty-five fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Paul Linn and Susan Staudenmier. By Thompson of Polk.

Fifty-five fifth grade students from Milford Elementary School, Nevada, Iowa, accompanied by Mary Nedtwig and Marilyn Boswell. By Bruner of Story.

PETITIONS FILED

The following petitions were received and placed on file:

By Cochran of Webster, from sixty-five students and by Menke

of O'Brien, from forty students, all favoring the designation of the ladybug as the state insect and declaring that the ladybug shall not be needlessly injured or killed in the state.

INTRODUCTION OF BILLS

House Joint Resolution 17, by Hanson of Delaware, Pelton, Conlon and McKean, a joint resolution proposing to the Congress of the United States that it submit to the legislatures of the states a constitutional amendment which would limit the total fiscal budget of the United States.

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

House Joint Resolution 18, by Welsh, a joint resolution proposing an amendment to the Constitution of the state of Iowa respecting the maximum time for which the same person may hold the office of governor.

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

House File 560, by committee on judiciary and law enforcement, a bill for an act amending the laws of this state relating to issuers of liability insurance policies to provide that a joint underwriting association be established to assure that manufacturers and sellers of quality products may be insured, to provide that companies writing liability insurance for Iowa manufacturers, doctors, lawyers, counties, municipal corporations, the state of Iowa, independent insurance agents, automobile owners, or school districts, shall report annually specified information relating to claims, premiums, income and expense ratios, and other matters pertaining to the costs of writing these types of insurance, to provide that products liability insurance coverage cannot be cancelled or not renewed, and that the premiums for products liability insurance coverage cannot be increased, except after prior notice to the insured, and to provide for the establishing of mutual insurance companies for the purpose of protecting parties in the chain of manufacture or distribution of products against products liability losses.

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

House File 561, by Miller, a bill for an act relating to newspapers and radio or television stations, by requiring them to retract or correct a libelous or slanderous statement in a certain manner, to disclose any common ownership.

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

House File 562, by Arnould, Bina, Jochum, Pavich, Lind and Lorenzen, a bill for an act providing allocation formula from the road use tax fund to provide forty-three percent to the primary road fund, twenty-four percent to the secondary road fund, and twenty-four percent to the cities.

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

House File 563, by Howell, a bill for an act relating to the practice of cosmetology in the home.

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

House File 564, by Thompson and Danker, a bill for an act relating to the determination and reimbursement of costs of state mandates imposed on political subdivisions of the state.

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

House File 565, by Welsh, a bill for an act permitting an employee to choose the care given under workers' compensation medical benefits.

Read first time and referred to committee on **labor and industrial relations**.

House File 566, by Davitt, a bill for an act relating to the use of unapproved methods of probing for foreign material content of grain and providing a penalty.

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

House File 567, by Welsh, a bill for an act relating to the issuance of distinguishing plates of different color for various government subdivisions.

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

House File 568, by Byerly, a bill for an act relating to monthly benefits paid to members and beneficiaries of members of the Iowa public employees' retirement system.

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

House File 569, by Cochran, a bill for an act to require schools to offer courses in marriage and family living and to make an appropriation.

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

House File 570, by Smalley, a bill for an act to make certain information on a declaration of value provided by the county recorder public information.

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

House File 571, by Anderson of Jasper, Avenson, Jay, Davitt, Chiodo, Brandt, Norland, Binneboese, Bina, Connors, Howell, Dieleman and Pavich, a bill for an act creating a business information division within the Iowa development commission and prescribing its powers and duties.

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

House File 572, by Crabb, Danker and Hansen of O'Brien, a bill for an act to legalize and validate the acts and agreements of north Iowa municipal electric cooperative association and its municipal members with allied power cooperative of Iowa and declaring said actions to have been legally taken.

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

House File 573, by Welsh, a bill for an act relating to the raffling of alcoholic liquor and beer by nonprofit organizations.

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

House File 574, by Cusack, a bill for an act relating to court and administrative procedures for relief against the pollution impairment or destruction of air, water, and other natural resources.

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

House File 575, by Rapp, a bill for an act relating to the administration of decedent's estates.

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

House File 576, by Bina, Walter, Gettings, Arnould, Cusack, Lloyd-Jones, Jochum and Rapp, a bill for an act creating a snow removal emergency fund and making appropriations to provide funds to cities and counties for aiding in the payment of unexpected costs resulting from excessive snowfall.

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

House File 577, by Rapp, a bill for an act relating to investment of funds by public agencies.

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

House File 578, by Welsh, a bill for an act to delete from the list of features required of electronic voting systems approved for use in Iowa the requirement that the voting punch device be constructed so as to notify an elector who makes an error in marking the ballot.

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

House File 579, by Howell, a bill for an act amending the obscenity chapter of the criminal code revision to prohibit the sale or offering for sale of obscene material to adults and minors and providing a penalty.

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

House File 580, by Davitt, a bill for an act requiring acknowledgment of the satisfaction of obligations which result in liens against real property, and creating a right of action for enforcement.

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

House File 581, by Harbor, a bill for an act striking from chapter five hundred thirty-seven (537) of the Code, the Iowa consumer credit code, the references to agriculture and agricultural purpose.

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

House File 582, by Rapp, Bruner and Jochum, a bill for an act relating to time-of-day rate schedules for electric utilities.

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

House File 583, by Evans, a bill for an act relating to railway assessments for public improvements.

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

House File 584, by Johnson of Linn, a bill for an act relating to the sale of commemorative bottles containing alcoholic liquor.

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

House File 585, by Davitt, a bill for an act prohibiting the sale and use of Penncap-M and making penalties applicable.

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

House File 586, by Shimanek and Harbor, a bill for an act relating to motor vehicle admission fees for state lands under the jurisdiction of the conservation commission and providing for a penalty.

Read first time and referred to committee on **natural resources**.

House File 587, by Shimanek and Hanson of Delaware, a bill for an act relating to easements acquired for the construction of a pipeline or electric transmission line on agricultural land.

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

House File 588, by Avenson, Anderson of Jasper, Gettings, Davitt, Cochran, Howell, Oxley, Binneboese, Groth, Perkins, Branstad, Schroeder and Halvorson of Webster, a bill for an act making an appropriation for special needs of the veterinary diagnostic laboratory at Iowa state university of science and technology.

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

House File 589, by Evans, a bill for an act relating to certain loan transactions between state banks.

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

House File 590, by O'Kane and Krewson, a bill for an act relating to the development of cross-country ski trails on lands under the jurisdiction of the conservation commission.

Read first time and referred to committee on **natural resources**.

House File 591, by Cusack and Anderson of Jasper, a bill for an act providing for the elderly and disabled to file a claim for a credit on the property taxes due in the coming fiscal year if their incomes are less than ten thousand dollars.

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

House File 592, by Byerly, a bill for an act relating to the deposit of public funds, authorizing the deposit or investment of public funds in certain approved savings and loan associations and in approved banks in the state, authorizing investment of public funds in certain notes, certificates, bonds, or other evidences of indebtedness, relating to the interest rates public funds can draw, and requiring certain savings and loan associations to contribute to the state sinking fund or be subject to a ten percent penalty on the amount of assessments due.

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

House File 593, by Norland and Hansen of O'Brien, a bill for an act authorizing the use of funds transferred from the general fund of the county to meet the minimum local tax effort required of counties to receive the maximum allotment from the road use tax fund.

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

House File 594, by Byerly, a bill for an act limiting the liability of a property owner under chapter five hundred seventy-two (572) of the Code, relating to mechanics' liens, to the amount of the contract price, except where the owner and contractor commit fraud.

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

House File 595, by Sherzan, a bill for an act relating to the payment of accumulated contributions to employees of the Iowa public employees' retirement system.

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

House File 596, by Hanson of Delaware, Hoffmann, Van Maanen, Thompson, Mullins, Conlon, Crawford, Evans, Lura, Daggett, West, Smalley, Johnson of Howard and Halvorson of Webster, a bill for an act granting the commissioner of insurance the authority to disapprove a policy of accident and health or disability insurance based upon its economic value.

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

House File 597, by O'Kane, a bill for an act requiring vocational rehabilitation evaluations for persons sustaining permanent disabilities under the workers' compensation law.

Read first time and referred to committee on **human resources**.

House File 598, by Stromer, a bill for an act relating to tenure of contracts for certain school administrators.

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

House File 599, by Connolly, a bill for an act providing for a reduction of the amount of an unsecured appearance bond when a violation charged involves an accident or injury for which there is less than one hundred dollars total damage.

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

House File 600, by Lloyd-Jones and Cochran, a bill for an act relating to land use.

Read first time and referred to committee on **natural resources**.

House File 601, by Krewson, Connors, Kirkenlager, Swearingen, Connolly, Horn, Clark of Cerro Gordo, Poffenberger and Lorenzen, a bill for an act to provide that the provisions of a collective bargaining agreement between a school district and its employees prevails over conflicting provisions of individual contracts which are subsequently executed between the school district and its employees.

Read first time and referred to committee on **labor and industrial relations**.

House File 602, by Norland, Chiodo, Pavich, Bina, Cusack, Bruner, Perkins, Spear, Anderson of Jasper, Howell, Binneboese, Groth, Dieleman, Doyle, Connolly, Arnould, O'Kane, Halvorson of Webster, Hullinger, Sherzan, Cochran, Miller, Gettings, Horn, Wells, Jochum, Rapp, Oxley, Connors, Byerly, Davitt, Jesse, Hinkhouse, Welsh, Lonergan, Lloyd-Jones, Brandt, Walter, Woods, Patchett, Hall, Jay, Husak and Avenson, a bill for an act to increase the standard deduction for persons filing a state income tax return and to adjust the standard deduction annually to compensate for inflation.

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

House File 603, by Shimanek, Walter, Dieleman, Jochum, Hanson of Delaware and Tyrrell, a bill for an act relating to prearranged funeral plans and the sale of personal property used in connection with the burial of dead human bodies, and providing penalties.

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

House File 604, by Anderson of Jasper, Jochum, Miller, Bina, Bruner, Sherzan, Byerly, Chiodo, Dieleman, Norland, Gettings, Jesse, Cusack, Pavich, Lonergan, Arnould, Davitt, Doyle, Hullinger, Rapp, Connolly, Connors, Jay, Woods, Binneboese, O'Kane, Howell, Groth, Wells, Spear, Horn, Halvorson of Webster, Brandt, Avenson, Lloyd-Jones, Cochran, Hinkhouse, Walter, Husak, Hall, Welsh and Patchett, a bill for an act providing for a credit against a renter's income tax liability for the rental of a homestead, providing penalties and making a standing appropriation.

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

House File 605, by Cusack, a bill for an act relating to the creation of a budget review council.

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

House File 606, by Shimanek and Hanson of Delaware, a bill for an act relating to pipelines.

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

House File 607, by Corey, a bill for an act to exempt from the use tax transfers of vehicles subject to registration from a sole proprietorship or partnership to a corporation formed by the sole proprietor or partnership for the purpose of continuing the business of the sole proprietorship or partnership as a corporation and making the Act retroactive.

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

House File 608, by Gettings, a bill for an act authorizing certain public employees of a political subdivision who are subject to a collective bargaining agreement to exempt themselves from civil service by an election.

Read first time and referred to committee on **labor and industrial relations.**

House File 609, by Lura, Pope, Ritsema, Maulsby, Evans, Hanson of Delaware, Johnson of Howard, Johnson of Woodbury, Pellett, O'Kane, Anderson of Audubon, Johnson of Linn, Halvorson of Webster, Branstad, Howell, Oxley, Norland, Hansen of O'Brien, Lonergan, Crabb, Smalley, Woods, Mullins, Hall, Harbor, Holt, Davitt, Groth, Tyrrell, Krewson, Lind, Jay, Chiodo, Schroeder, Daggett, De Groot, Diemer, Welden, Lorenzen, Hibbs, Swearingen, Halvorson of Clayton, West, Van Maanen, Clark of Lee, Hummel, Larsen, Corey, Poffenberger, Hoffmann, McKean, Miller, Lageschulte, Bina, Thompson, Danker and Husak, a bill for an act relating to the complete review of all state agencies on a periodic basis and providing that the legislature will give a favorable report or the agency will be dissolved and making an appropriation.

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

House File 610, by McKean, a bill for an act to provide medical assistance to the low-income elderly for certain medical examinations, prescription drugs, and corrective, orthopedic, and prosthetic devices.

Read first time and referred to committee on **human resources**.

House File 611, by Horn, a bill for an act restricting the number of cars used and operated by a household.

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

House File 612, by Connors, a bill for an act relating to the use of parking spaces designated for use by handicapped persons and the issuance of special handicapped-parking signs and providing a penalty.

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

House File 613, by Connors, Lonergan and Hansen of O'Brien, a bill for an act relating to the authority of cities to adopt or enforce zoning ordinances affecting certain group homes.

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

House File 614, by Halvorson of Clayton, a bill for an act to provide payment in lieu of taxes to counties and school districts for loss of tax revenue as a result of the acquisition of lands by the state.

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

House File 615, by Jay, a bill for an act relating to the publication of proceedings of meetings of the county board of supervisors.

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

House File 616, by Jay, Hullinger, Van Maanen, Hanson of Delaware, Davitt and Binneboese, a bill for an act establishing a state brand board, establishing procedures for registering brands, and providing procedures for enforcement and penalties.

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

House File 617, by Jay, a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County relating to the sale of all of their interest in and to lot 3 of Block 1 of the original town of Cincinnati, Appanoose County, Iowa.

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

House File 618, by Brandt and Cusack, a bill for an act relating to individual and group accident and health insurance coverage for home and inpatient hospice care and making penalties applicable.

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

House File 619, by Brandt and Cusack, a bill for an act relating to individual and group accident and health insurance coverage for adult day care and making penalties applicable.

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

House File 620, by Brandt and Cusack, a bill for an act relating to insurance coverage for nursing home care.

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

House File 621, by Brandt, Anderson of Jasper, Norland, Clark of Cerro Gordo, Krewson, Pope, Cusack and Bruner, a bill for an act providing that the elderly and disabled can file a claim for a credit on the property taxes due in the coming fiscal year if their incomes are less than ten thousand dollars.

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

House File 622, by Brandt and Cusack, a bill for an act relating to individual and group accident and health insurance coverage for home health services and making penalties applicable.

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

House File 623, by Perkins, Smalley, Lloyd-Jones, Husak, Mullins, Pellett, Davitt, O'Kane, Brandt, Hinkhouse, Walter, Evans and Jochum, a bill for an act relating to the use of moldboard plows and providing a penalty.

Read first time and referred to committee on **natural resources**.

House File 624, by Chiodo, a bill for an act providing that an owner of property as defined in section five hundred seventy-two point one (572.1) of the Code is relieved of liability to subcontractors acquiring liens against the property to the extent of payments made according to the contract with the contractor.

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

House File 625, by Chiodo, Woods, Arnould, Jochum, Rapp, Jesse, Cusack, Gettings and Miller, a bill for an act relating to standards for regulation of electric utility rates and services.

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

House File 626, by Cochran, Connolly and Halvorson of Webster, a bill for an act establishing and providing for administration of and disbursements from the Iowa candidates' fund, and prescribing maximum amounts of and other conditions upon expenditures for campaign purposes by candidates who accept money from the Iowa candidates' fund.

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

House File 627, by Pavich, Krewson, Wells, Walter, Tofte, Woods, Clark of Cerro Gordo and Hoffmann, a bill for an act relating to the minimum benefits paid to survivors of a member of the peace officers' retirement system or a member of a local police or fire retirement system.

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

House File 628, by Larsen, a bill for an act relating to property tax exemptions to veterans who served in the armed forces of the United States during the time in which the military draft was operative.

Read first time and **passed on file**.

House File 629, by Bennett, Perkins, Howell, Doyle, Binneboese, Clark of Lee, Clark of Cerro Gordo and Hanson of Delaware, a bill for an act relating to contracts let for public improvements by public agencies.

Read first time and **passed on file**.

House File 630, by Shull, a bill for an act relating to the qualifications for certified public accountants.

Read first time and **passed on file**.

House File 631, by O'Kane and Groth, a bill for an act relating to the mileage rate paid to public employees who use their own vehicle for public business.

Read first time and **passed on file**.

House File 632, by committee on ways and means, a bill for an act relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the limitation on the levying of a tax to aid in the payment of the bonds.

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

House File 633, by Connolly and Halvorson of Webster, a bill for an act to impose maximum limits on the amount an individual or a committee, except a statutory political committee, may contribute to one candidate.

Read first time and **passed on file.**

House File 634, by Anderson of Audubon, a bill for an act relating to the prevention of fires caused by open burning under unsafe conditions.

Read first time and **passed on file.**

House File 635, by Evans and Chiodo, a bill for an act to promote the sale of farmland to persons who wish to farm, by creating a special form of corporation and by providing tax incentives.

Read first time and **passed on file.**

House File 636, by Daggett, a bill for an act to transfer funds generated for special education pupils who are admitted to certain state institutions.

Read first time and **passed on file.**

House File 637, by Johnson of Linn, Woods, Byerly, Horn and Bina, a bill for an act relating to the private sale, control, distribution and taxation of wine containing not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties therefor.

Read first time and **passed on file.**

House File 638, by Pope, Howell, Dieleman, Tofte and Diemer, a bill for an act relating to a statewide system for voluntary certification of persons engaging in certain electrical work.

Read first time and **passed on file.**

House File 639, by Evans and Hansen of O'Brien, a bill for an act providing an exemption from the state sales, service and use tax of

the gross receipts from the sale of depreciable personal property to a business which increases employment within the state.

Read first time and **passed on file.**

House File 640, by Chiodo, Byerly, Woods, Arnould, Jochum, Rapp, Jesse, Cusack, Anderson of Jasper, Davitt, Gettings, Miller and Lind, a bill for an act relating to accident and health insurance information concerning percentage or dollar charges for specific medical and other services.

Read first time and **passed on file.**

House File 641, by Harbor, a bill for an act to allow a tax credit to individuals for the portion of corporate dividends upon which a tax has been paid by the corporation.

Read first time and **passed on file.**

House File 642, by Pavich, a bill for an act relating to retirement benefits for police and fire personnel.

Read first time and **passed on file.**

House File 643, by Pavich, a bill for an act to provide that the mayor shall appoint the clerk of a city civil service commission in certain cities.

Read first time and **passed on file.**

House File 644, by Pavich and Walter, a bill for an act to allow the use of railroad assistance funds for the restoration and improvement of rail switching yards.

Read first time and **passed on file.**

RULES SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend the rules for the immediate consideration of House Joint Resolution 13.

CONSIDERATION OF BILL
Regular Calendar

House Joint Resolution 13, a joint resolution disapproving the department of agriculture's amendment to the Iowa administrative code 30-6.17 (8) published in the Iowa administrative bulletin of November 1, 1978, with report of committee recommending amendment and passage was taken up for consideration.

Schroeder of Pottawattamie offered amendment H—3244 filed by the committee on agriculture on February 21, 1979 and found on page 625 of the House Journal and moved its adoption.

Amendment H—3244 was adopted.

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

On the question "Shall the resolution be adopted and agreed to?" (H.J.R. 13)

The ayes were, 82:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Bruner	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Daggett	Danker
De Groot	Diemer	Doyle	Egenes
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 18:

Arnould	Bina	Branstad	Byerly
Connors	Crabb	Crawford	Cusack
Davitt	Dieleman	Evans	Gettings
Hinkhouse	Johnson, J.	Miller	Mullins
Patchett	Perkins		

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGE
(House Joint Resolution 13)

Schroeder of Pottawattamie asked and received unanimous consent to immediately message House Joint Resolution 13 to the Senate.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 189 County Government

Relating to the compensation of township trustees and township clerks.

S.B. 190 Natural Resources

Relating to the registration of snowmobiles and the expenditure of snowmobile registration fees.

S.B. 191 Natural Resources

To increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

SUBCOMMITTEE ASSIGNMENTS

House File 155

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 156

Natural Resources: Menke, Chair; Anderson of Jasper and Pellett.

House File 196

Ways and Means: West, Chair; Schnekloth, Hall, Daggett, Diemer, Lura, Norland, Brandt and Oxley.

House File 204

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Brandt and Oxley.

House File 210

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 215

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Brandt and Oxley.

House File 229

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Brandt and Oxley.

House File 230

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 236

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

House File 243

Ways and Means: Bennett, Chair; Lageschulte, Branstad, Pope, Davitt, Cochran and Connolly.

House File 247

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 250

Ways and Means: Pope, Chair; Clark of Lee and Jochum.

House File 253

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Brandt and Oxley.

House File 254

Ways and Means: Clark of Lee, Chair; West and Norland.

House File 255

Transportation: Schnekloth, Chair; Gettings and Schroeder.

House File 261

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Jochum.

House File 273

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Jochum, Branstad, Connolly, Bennett, Conlon, Anderson of Jasper and Hall.

House File 274

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 293

Ways and Means: Hanson of Delaware, Chair; Lorenzen and Brandt.

House File 300

Judiciary and Law Enforcement: Ritsema, Chair; Pelton and Walter.

House File 309

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 312

Judiciary and Law Enforcement: Ritsema, Chair; Pelton and Shimanek.

House File 313

State Government: Hansen of O'Brien, Chair; Shimanek and Brandt.

House File 314

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 317

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 319

Judiciary and Law Enforcement: Smalley, Chair; Corey and Doyle.

House File 320

Cities: Hanson of Delaware, Chair; Tyrrell and Groth.

House File 322

Judiciary and Law Enforcement: Lloyd-Jones, Chair; Holt and Arnould.

House File 324

Judiciary and Law Enforcement: Shimanek, Chair; Pelton, Jesse, Ritsema and Patchett.

House File 327

State Government: Hansen of O'Brien, Chair; Swearingen and Arnould.

House File 328

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 335

Judiciary and Law Enforcement: Anderson of Audubon, Chair; Clark of Cerro Gordo and Welsh.

House File 336

Judiciary and Law Enforcement: Jesse, Chair; Holt and Conlon.

House File 338

State Government: Hansen of O'Brien, Chair; Hoffmann and Woods.

House File 340

State Government: Hibbs, Chair; Stromer and Dieleman.

House File 341

State Government: Lageschulte, Chair; Swearingen and Bina.

House File 344

State Government: Hoffmann, Chair; Hansen of O'Brien and Halvorson of Webster.

House File 349

Cities: Hanson of Delaware, Chair; Diemer and Spear.

House File 350

Judiciary and Law Enforcement: Pelton, Chair; Ritsema, Walter, Hibbs and Jesse.

House File 351

Natural Resources: Smalley, Chair; Perkins, Hall, Holt and Tofte.

House File 352

State Government: Hoffmann, Chair; Anderson of Audubon and Lloyd-Jones.

House File 357

State Government: Hansen of O'Brien, Chair; Johnson of Woodbury and Dieleman.

House File 360

Judiciary and Law Enforcement: Shimanek, Chair; Pelton, Jesse, Ritsema and Patchett.

House File 361

Judiciary and Law Enforcement: Corey, Chair; Arnould and Lonergan.

House File 372

Human Resources: Clark of Cerro Gordo, Chair; Spear and Daggett.

House File 380

Judiciary and Law Enforcement: Conlon, Chair; Patchett and Anderson of Audubon.

House File 381

Human Resources: Poffenberger, Chair; Hoffmann and Connors.

House File 382

Human Resources: Maulsby, Chair; Spear and Horn.

House File 387

Judiciary and Law Enforcement: Clark of Cerro Gordo, Chair; Walter and Holt.

House File 388

Judiciary and Law Enforcement: Smalley, Chair; Jesse and Hibbs.

House File 389

Judiciary and Law Enforcement: Patchett, Chair; Maulsby and Lonergan.

House File 392

Judiciary and Law Enforcement: Lonergan, Chair; Holt and Welsh.

House File 402

Human Resources: De Groot, Chair; Shimanek and Husak.

House File 406

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

House File 410

Judiciary and Law Enforcement: Pelton, Chair; Holt and Patchett.

House File 424

Judiciary and Law Enforcement: Lloyd-Jones, Chair; Maulsby and Ritsema.

House File 431

Judiciary and Law Enforcement: Doyle, Chair; Patchett and Smalley.

House File 512

Human Resources: Maulsby, Chair; Spear and Horn.

House File 518

Agriculture: Van Maanen, Chair; Anderson of Jasper and Corey.

House File 530

Human Resources: Lind, Chair; Husak and Arnould.

House File 546

Human Resources: Cusack, Chair; Hoffmann, Bennett, Kirkenlager and Miller.

House File 550

Agriculture: Crabb, Chair; Hinkhouse and Mullins.

House File 557

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Senate File 81

Transportation: Pellett, Chair; Lageschulte and Hullinger.

Senate File 152

County Government: Danker, Chair; Oxley and Schnekloth.

Senate File 163

Transportation: Schroeder, Chair; Hinkhouse and Menke.

Senate File 164

Transportation: Miller, Chair; Daggett and Kirkenslager.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 182**

Judiciary and Law Enforcement: Holt, Chair; Rapp and Hibbs.

Study Bill 183

Judiciary and Law Enforcement: Hibbs, Chair; Rapp and Holt.

Study Bill 184

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

Study Bill 186

Human Resources: Shimanek, Chair; Miller and Mullins.

Study Bill 188

County Government: Johnson of Howard, Chair; Gettings and Smalley.

**BILL ENROLLED, SIGNED AND SENT TO
SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State for his approval on this 23rd day of February, 1979: House Joint Resolution 5.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COUNTY GOVERNMENT

Study Bill 189, relating to the compensation of township trustees and township clerks.

Recommended **Do Pass**.

COMMITTEE ON HUMAN RESOURCES

Study Bill 174, relating to information required on certificates of marriage.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3249	S.F. 70	Conlon of Muscatine
H-3250	S.F. 70	Conlon of Muscatine
H-3251	H.F. 173	Crawford of Story
H-3252	S.F. 70	Conlon of Muscatine

On motion by Halvorson of Clayton the House adjourned at 11:30 a.m., until 10:00 a.m., Monday, February 26, 1979.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day — Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 26, 1979

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

Prayer was offered by the Reverend Robert G. Ricks, pastor of the Capitol Hill Christian Church, Des Moines, Iowa.

The Journal of Friday, February 23, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Smith, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Walter of Pottawattamie on request of Pavich of Pottawattamie; Gettings of Wapello and Binneboese of Plymouth on request of Hinkhouse of Cedar; Arnould of Scott for the morning session on request of Cusack of Scott.

PRESENTATION OF VISITORS

Davitt of Warren presented to the House, Esthela Maggio, foreign exchange student from Ecuador, presently attending Dowling High School, Des Moines, Iowa, accompanied by Beth Zimmerman.

Anderson of Jasper presented to the House Sandra Gonzales, foreign exchange student from Columbia, presently attending Newton Senior High School, Newton, Iowa.

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

Fifty-five fifth grade students from Milford Elementary School, Nevada, Iowa, accompanied by Cheryl Smith, Linda Boester and Gary Seifken. By Bruner of Story.

INTRODUCTION OF BILLS

House File 645, by committee on ways and means, a bill for an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax.

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

House File 646, by committee on county government, a bill for an act to provide court appointed attorneys for county officers under certain circumstances.

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

House File 647, by committee on county government, a bill for an act relating to the compensation of township trustees and township clerks.

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

House File 648, by committee on energy, a bill for an act relating to discrimination by utilities against customers who use renewable energy sources.

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

House File 649, by committee on commerce, a bill for an act to amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans.

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

(HOUSE FILE 173 DEFERRED)

Halvorson of Clayton asked and received unanimous consent that House File 173 be deferred and that the bill retain its place on the regular calendar.

CONSIDERATION OF BILLS
Regular Calendar

House File 307, a bill for an act relating to authorization for teaching, was taken up for consideration.

Daggett of Taylor 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. 307)

The ayes were, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Branstad	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	West	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Arnould	Binneboese	Brandt	Chiodo
Doyle	Gettings	Husak	Jay
Jesse	Larsen	Norland	Patchett
Smalley	Walter	Welsh	Woods

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

House File 22, a bill for an act relating to cost-sharing funds for mandated soil conservation projects, with report of committee recommending passage was taken up for consideration.

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. 22)

The ayes were, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Diemer	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	West	Woods	Mr. Speaker

The nays were, 1:

Sherzan

Absent or not voting, 15:

Arnould	Binneboese	Dieleman	Doyle
Egenes	Gettings	Harbor	Husak
Jesse	Norland	Patchett	Smalley
Stromer	Walter	Welsh	

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

House File 131, a bill for an act to increase the maximum interest rate applicable to certain tax anticipatory warrants to six percent, with report of committee recommending passage was taken up for consideration.

Cochran of Webster rose on a point of order and invoked Rule 37 on House File 131.

The Speaker ruled the point not well taken and Rule 37 not in order.

Shull of Warren 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. 131)

The ayes were, 61:

Anderson, J.	Bennett	Bina	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Howell	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Patchett
Pellett	Pelton	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 31:

Anderson, R.	Avenson	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Egenes	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Jay
Jesse	Jochum	Kirkenslager	Krewson
Lloyd-Jones	Lonergan	Miller	O'Kane
Oxley	Pavich	Perkins	Sherzan
Wells	Welsh	Woods	

Absent or not voting, 8:

Arnould	Binneboese	Doyle	Gettings
Hullinger	Husak	Norland	Walter

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

House File 61, a bill for an act providing that a defendant awaiting a judgment of conviction and sentencing or appealing a conviction for a class A felony shall not be admitted to bail, with report of committee recommending passage was taken up for consideration.

Connors 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. 61)

The ayes were, 88:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Patchett	Pavich	Pellett
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Arnould	Binneboese	Doyle	Gettings
Harbor	Hullinger	Husak	Lageschulte
Lind	Norland	Pelton	Walter

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

House File 92, a bill for an act relating to the member of the law enforcement academy council from the college aid commission, with report of committee recommending passage was taken up for consideration.

Maulsby 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?" (H.F. 92)

The ayes were, 90:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hummel	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Arnould	Binneboese	Doyle	Gettings
Hullinger	Husak	Lind	Norland
Pelton	Walter		

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

HOUSE FILE 93 TEMPORARILY DEFERRED

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on House File 93.

House File 97, a bill for an act relating to the time period for maintaining proof of motor vehicle financial responsibility, with report of committee recommending passage was taken up for consideration.

Miller of Buchanan offered H-3248 filed by him and requested division as follows:

H-3248

- 1 Amend House File 97 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following new sections:

H-3248A

- 4 "Section 1. Chapter three hundred twenty-one
- 5 (321), Code 1979, is amended by adding the following
- 6 new section:
- 7 **NEW SECTION. PROOF OF FINANCIAL RESPONSIBILITY.**
- 8 1. Notwithstanding the provisions of chapter three
- 9 hundred twenty-one A (321A) of the Code, as it pertains
- 10 to who is required to maintain proof of financial
- 11 responsibility to operate a motor vehicle on the
- 12 highways of this state, a person shall not operate
- 13 a motor vehicle, which is required to be registered
- 14 in this state, on the highways of this state unless
- 15 the person has demonstrated proof of financial
- 16 responsibility as defined in section three hundred
- 17 twenty-one A point one (321A.1), subsection ten (10)
- 18 of the Code.
- 19 2. The department shall not register a motor
- 20 vehicle in this state unless the applicant has

21 demonstrated proof of financial responsibility in
 22 a manner provided in this section or such other manner
 23 as prescribed by the department to substantiate that
 24 a person has the ability to respond in damages for
 25 liability in the amounts specified in section three
 26 hundred twenty-one A point one (321A.1), subsection
 27 ten (10) of the Code. A certificate of insurance
 28 from an insurance company licensed to conduct business
 29 in Iowa, an appropriate bond or a certificate from
 30 the treasurer of state shall be adequate evidence
 31 of proof of financial responsibility.

32 3. An insurance company operating in the state
 33 shall notify the state department of transportation
 34 in a manner prescribed by the commissioner of insurance
 35 after consultation with the state department of
 36 transportation of a cancellation of an insurance
 37 policy issued to a person to satisfy the requirements
 38 for proof of financial responsibility. The department
 39 shall revoke the motor vehicle license or permit of
 40 a person who is unable to demonstrate proof of
 41 financial responsibility.

42 4. The state department of transportation and
 43 the insurance department shall adopt rules pursuant
 44 to chapter seventeen A (17A) of the Code to implement
 45 the provisions of this Act.

H—3248B

46 Sec. 2. Section three hundred twenty-one point
 47 two hundred nine (321.209), Code 1979, is amended
 48 by adding the following new paragraph:
 49 NEW PARAGRAPH. The department shall revoke the
 50 license or permit of an individual to operate a motor

Page 2

1 vehicle on the highways of this state if the person
 2 is not able to demonstrate proof of financial
 3 responsibility as defined in section three hundred
 4 twenty-one A point one (321A.1) of the Code."
 5 2. Renumber the sections and correct internal
 6 references as necessary.

Schroeder of Pottawattamie rose on a point of order that amend-
 ment H—3248 was not germane.

The Speaker ruled the point well taken and amendment
 H—3248 not germane.

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. 97)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 1:

Smalley

Absent or not voting, 7:

Binneboese	Doyle	Gettings	Hullinger
Husak	Norland	Walter	

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

UNANIMOUS CONSENT TO VOTE

By unanimous consent Stromer of Hancock and Oxley of Linn were recorded as voting "aye" on House File 97.

House File 174, a bill for an act to increase the membership and voting requirements of the boards of adjustment of cities, with report of committee recommending amendment and passage was taken up for consideration.

Danker of Pottawattamie offered amendment H—3239 filed by the committee on cities on February 20, 1979 and found on pages 610 and 611 of the House Journal and moved its adoption.

Amendment H—3239 was adopted.

Johnson 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. 174)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, 4:

Lageschulte	McKean	Ritsema	Woods
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Absent or not voting, 6:

Binneboese	Gettings	Husak	Jay
Norland	Walter		

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

House File 93, a bill for an act relating to the time allowed for renewal of a real estate apprentice salesperson's license, 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. 93)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Binneboese	Gettings	Husak	Mullins
Norland	Walter	Welden	

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

House File 172, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits, with report of committee recommending passage was taken up for consideration.

Halvorson of Webster moved that House File 172 be deferred and that the bill retain its place on the calendar.

The motion lost.

Hibbs of Johnson 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. 172)

The ayes were, 62:

Anderson, J.	Anderson, R.	Bennett	Bina
Branstad	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lonergan	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Perkins	Poffenberger
Pope	Schnekloth	Schroeder	Shull
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Woods	Mr. Speaker		

The nays were, 33:

Arnould	Avenson	Brandt	Bruner
Byerly	Connolly	Connors	Cusack

Egenes	Groth	Hall	Halvorson, R.N.
Hanson, D.	Horn	Howell	Jay
Jesse	Jochum	Krewson	Lloyd-Jones
Lorenzen	O'Kane	Oxley	Patchett
Pavich	Rapp	Ritsema	Sherzan
Shimanek	Smalley	Spear	Wells
Welsh			

Absent or not voting, 5:

Binneboese	Gettings	Husak	Norland
Walter			

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

HOUSE FILE 404 WITHDRAWN

Doyle of Woodbury asked and received unanimous consent to withdraw House File 404 from further consideration by the House.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of February, 1979: House Files 139 and 168.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PROOF OF PUBLICATION (House File 572)

Published copy of House File 572 and verified proof of publication of said bill in the following newspapers on the respective dates was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House:

The Coon Rapids Enterprise, a weekly newspaper published in Coon Rapids, Carroll County, Iowa, on February 15, 1979.

The Daily Reporter, a daily newspaper printed at Spencer, Clay County, Iowa on February 8, 1979.

Bancroft Register, a weekly newspaper published and printed in Bancroft, Kossuth County, Iowa on February 7, 1979.

The New Hampton Tribune, a weekly newspaper printed at New Hampton, Chickasaw County, Iowa on February 8, 1979.

The Milford Mail, a weekly newspaper printed at Spirit Lake, Dickinson County, Iowa on February 8, 1979.

The Alta Advertiser, a weekly newspaper printed and published at Alta, Buena Vista County, Iowa on February 15, 1979.

Upper Des Moines, a newspaper published weekly and printed at Algona, Kossuth County, Iowa on February 8, 1979.

Graettinger Times, a weekly newspaper published and printed at Graettinger, Palo Alto County, Iowa on February 8, 1979.

The Waverly Democrat, a weekly newspaper published at Waverly, Bremer County, Iowa on February 8, 1979.

The Daily Freeman-Journal, Webster City, Iowa on February 7, 1979.

West Bend Journal, a weekly newspaper published in Palo Alto County, Iowa on February 8, 1979.

The Grundy Register, a newspaper published in Grundy Center, Grundy County, Iowa on February 8, 1979.

The Laurens Sun, a weekly newspaper printed and published in Laurens, Pocahontas County, Iowa on February 8, 1979.

Cedar Falls Record, a daily newspaper printed and published in Cedar Falls, Black Hawk County, Iowa on February 17, 1979.

Sumner Gazette, a weekly newspaper published in Sumner, Bremer County, Iowa on February 8, 1979.

Estherville Daily News, a newspaper published daily in Estherville, Emmet County, Iowa on February 8, 1979.

SPONSOR ADDED
(Amendment H—3240 to Senate File 158)

Pelton of Clinton requested to be added as a sponsor of amendment H—3240 to Senate File 158.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 26, 1979. Had I been present, I would have voted "aye" on House File 307.

LARSEN of Wapello

**COMMUNICATION FROM
AUDITOR OF STATE**

There is on file in the office of the Chief Clerk an Investment Report received from the Auditor of State pursuant to Section 453.13, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 192 Transportation**

To require proof of financial responsibility to be shown prior to the issuance of registration plates for a motorcycle to be operated in this state.

S.B. 193 Judiciary and Law Enforcement

Relating to investigation of arson and providing immunity and penalties.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 9:00 a.m., February 23, 1979

Convened: 9:00 a.m.

Adjourned: 10:00 a.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Lloyd-Jones, Lonergan, Maulsby, Rapp and Walter.

Absent: Patchett, ranking member; Arnould, Doyle (arrived at 9:15 a.m.), Jesse (arrived at 9:10 a.m.), Pelton (arrived at 9:15 a.m.), Smalley and Welsh.

Excused: Johnson of Howard.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

Study Bill 167, authorizing cities and counties to issue revenue under Chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility or a voluntary hospital.

Recommended **Do Pass**.

COMMITTEE ON COMMERCE

House File 462, a bill for an act relating to valuation standards and nonforfeiture provisions for policies of insurance subject to chapters five hundred eight (508) and five hundred twelve (512) of the Code.

Recommended **Amend and Do Pass**.

H—3253

- 1 Amend House File 462 as follows:
- 2 1. Page 2, line 6, by striking the word "July"
- 3 and inserting in lieu thereof the word "January".
- 4 2. Page 2, line 8, by striking the word "July"
- 5 and inserting in lieu thereof the word "January".
- 6 3. Page 4, line 20, by inserting after the figure
- 7 "1954," the words "as now or hereafter amended".
- 8 4. Page 5, line 2, by inserting after the figure
- 9 "1954" the words ", as now or hereafter amended".
- 10 5. Page 7, line 7, by striking the word "July"
- 11 and inserting in lieu thereof the word "January".
- 12 6. Page 7, line 20, by striking the word "July"
- 13 and inserting in lieu thereof the word "January".
- 14 7. Page 7, line 31, by striking the word "July"

- 15 and inserting in lieu thereof the word "January".
 16 8. Page 8, line 6, by striking the word "July"
 17 and inserting in lieu thereof the word "January".
 18 9. Page 8, line 13, by striking the word "July"
 19 and inserting in lieu thereof the word "January".
 20 10. Page 9, line 25, by striking the word "July"
 21 and inserting in lieu thereof the word "January".
 22 11. Page 9, line 27, by striking the word "July"
 23 and inserting in lieu thereof the word "January".
 24 12. Page 10, lines 16 and 17, by striking the
 25 words "and does not apply to any".
 26 13. Page 10, line 24, by striking the words "and
 27 does not apply to any" and inserting in lieu thereof
 28 the words "as now or hereafter amended".
 29 14. Page 10, lines 25 and 26, by striking the
 30 words "or immediate annuity, and does not apply to"
 31 and inserting in lieu thereof the words "immediate
 32 annuity".
 33 15. Page 10, line 27, by striking the words "and
 34 does not apply to a" and inserting in lieu thereof
 35 the word "or".
 36 16. Page 10, line 28, by striking the words "and
 37 does not apply" and inserting in lieu thereof the
 38 word "nor".
 39 17. Page 10, line 33, by striking the word "a"
 40 and inserting in lieu thereof the word "no".
 41 18. Page 10, line 34, by striking the word "not".
 42 19. Page 11, line 17, by striking the words "of
 43 the" and inserting in lieu thereof the words "of
 44 such".
 45 20. Page 11, line 18, by inserting after the word
 46 "demand" the word "therefor".
 47 21. Page 11, line 24, by striking the words "of
 48 the" and inserting in lieu thereof the words "of
 49 such".
 50 22. Page 11, line 34, by inserting after the word

Page 2

- 1 "subsection" the word and figure "two (2)".
 2 23. Page 12, line 6, by striking the words "the
 3 contract" and inserting in lieu thereof the word "such
 4 contract".
 5 24. Page 12, line 11, by striking the word "the"
 6 and inserting in lieu thereof the word "such".
 7 25. Page 13, line 24, by striking the word "years."
 8 and inserting in lieu thereof the words "years; and".
 9 26. Page 14, line 3, by striking the word "The"
 10 and inserting in lieu thereof the word "Such".
 11 27. Page 14, line 8, by striking the word "the"
 12 and inserting in lieu thereof the word "such".

- 13 28. Page 15, by striking line 9 and inserting
 14 in lieu thereof the words "in no event shall the
 15 present value of a paid-up annuity benefit be".
 16 29. Page 16, line 22, by striking the word "July"
 17 and inserting in lieu thereof the word "January".
 18 30. Page 16, line 25, by striking the word and
 19 figures "July 1, 1982" and inserting in lieu thereof
 20 the word and figures "January 1, 1981".
 21 31. Page 16, line 30, by striking the word and
 22 figures "July 1, 1982" and inserting in lieu thereof
 23 the word and figures "January 1, 1981".
 24 32. Page 16, line 31, by striking the word and
 25 figures "July 1, 1982" and inserting in lieu thereof
 26 the word and figures "January 1, 1981".

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly H.F. 110), a bill for an act relating to the authorization to manufacture, distribute, sell, prescribe and use amygdalin in this state and providing a penalty.

Recommended Amend and Do Pass.

Fiscal note is required.

Study Bill 153, relating to the filing of requests and giving notice of claims against probated estates.

Recommended Do Pass.

Fiscal note is required.

Study Bill 154, relating to the filing of objections to estate or property appraisal.

Recommended Do Pass.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly H.F. 65), a bill for an act to prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H—3254

S.F. 70

Conlon of Muscatine

H—3255

H.F. 498

Spear of Lee

H—3256

H.F. 114

Thompson of Polk

On motion by Halvorson of Clayton the House adjourned at 12:12 p.m., until 9:00 a.m., Tuesday, February 27, 1979.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day—Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 27, 1979

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

Prayer was offered by the Reverend Ronald Meyer, pastor of the First English Lutheran Church, Spencer, Iowa.

The Journal of Monday, February 26, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Daniel Hogan, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

PETITION FILED

The following petition was received and placed on file:

By Crawford of Story, from thirty-four members of the Iowa Commission on the Status of Women favoring House Concurrent Resolution 8 designating the ladybug as the state insect.

PRESENTATION OF VISITORS

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

Eighty fifth and sixth grade students from Southeast Polk Four Mile Elementary School, Des Moines, Iowa, accompanied by Rodney Hilpipre. By Woods of Polk.

One hundred thirty eleventh and twelfth grade students from Mt. Pleasant Community High School, Mt. Pleasant, Iowa, accompanied by Jerry Wilson, Mike Hampton and Pat Oskroba. By Corey of Louisa.

BILLS REFERRED TO COMMITTEE

Speaker Millen announced that the following bills previously passed on file are referred to the respective committees:

House File 628	Ways and Means
House File 629	State Government
House File 630	State Government
House File 631	State Government
House File 633	State Government
House File 634	Natural Resources
House File 635	Agriculture
House File 636	Education
House File 637	State Government
House File 638	State Government
House File 639	Ways and Means
House File 640	Commerce
House File 641	Ways and Means
House File 642	State Government
House File 643	Cities
House File 644	Transportation

REREFERRED TO COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS (House File 597)

Speaker Millen announced that **House File 597**, previously referred to the committee on **human resources**, was rereferred to the committee on **labor and industrial relations**.

HOUSE RESOLUTION 16

By Swearingen

- 1 *Whereas*, the city of Wellman, Iowa is nearing the
- 2 centennial anniversary of its founding as a city; and
- 3 *Whereas*, the citizens of Wellman, Iowa are pre-
- 4 paring for a centennial celebration July 4-8, 1979, to
- 5 commemorate the one-hundredth anniversary of the city's
- 6 founding; *Now Therefore*,
- 7 *Be It Resolved By The House Of Representatives*,
- 8 That the membership of the House of Representatives of
- 9 the Sixty-eighth General Assembly of the State of Iowa
- 10 extends its heartiest congratulations to the city of
- 11 Wellman, Iowa, in commemoration of the centennial anni-
- 12 versary of its founding in this year of 1979; and

13 *Be It Further Resolved*, That a copy of this reso-
 14 lution be forwarded to the mayor and the citizens of
 15 Wellman who are in charge of making preparations for the
 16 centennial celebration.

Laid over under Rule 30.

HOUSE RESOLUTION 17

By Swearingen

1 *Whereas*, the city of Harper, Iowa is nearing the
 2 centennial anniversary of its founding as a city; and
 3 *Whereas*, the citizens of Harper, Iowa are pre-
 4 paring for a centennial celebration July 27-29, 1979,
 5 to commemorate the one-hundredth anniversary of the
 6 city's founding; *Now Therefore*,
 7 *Be It Resolved By The House Of Representatives*,
 8 That the membership of the House of Representatives of
 9 the Sixty-eighth General Assembly of the State of Iowa
 10 extends its heartiest congratulations to the city of
 11 Harper, Iowa, in commemoration of the centennial anni-
 12 versary of its founding in this year of 1979; and
 13 *Be It Further Resolved*, That a copy of this
 14 resolution be forwarded to the mayor and the citizens
 15 of Harper who are in charge of making preparations
 16 for the centennial celebration.

Laid over under Rule 30.

HOUSE RESOLUTION 18

By Swearingen

1 *Whereas*, the city of Kalona, Iowa is nearing the
 2 centennial anniversary of its founding as a city; and
 3 *Whereas*, the citizens of Kalona, Iowa are prepar-
 4 ing for a centennial celebration July 24-28, 1979, to
 5 commemorate the one-hundredth anniversary of the city's
 6 founding; *Now Therefore*,
 7 *Be It Resolved By The House Of Representatives*,
 8 That the membership of the House of Representatives of
 9 the Sixty-eighth General Assembly of the State of Iowa
 10 extends its heartiest congratulations to the city of
 11 Kalona, Iowa in commemoration of the centennial anni-
 12 versary of its founding in this year of 1979; and
 13 *Be It Further Resolved*, That a copy of this reso-
 14 lution be forwarded to the mayor and the citizens of
 15 Kalona who are in charge of making preparations for
 16 the centennial celebration.

Laid over under Rule 30.

HOUSE RESOLUTION 19
By Swearingen

1 *Whereas*, the city of Keswick, Iowa is nearing the
2 centennial anniversary of its founding as a city; and
3 *Whereas*, the citizens of Keswick, Iowa are prepar-
4 ing for a centennial celebration June 15-17, 1979, to
5 commemorate the one-hundredth anniversary of the city's
6 founding; *Now Therefore*,
7 *Be It Resolved By The House Of Representatives*,
8 That the membership of the House of Representatives of
9 the Sixty-eighth General Assembly of the State of Iowa
10 extends its heartiest congratulations to the city of
11 Keswick, Iowa, in commemoration of the centennial anni-
12 versary of its founding in this year of 1979; and
13 *Be It Further Resolved*, That a copy of this reso-
14 lution be forwarded to the mayor and the citizens of
15 Keswick who are in charge of making preparation for
16 the centennial celebration.

Laid over under Rule 30.

COMMUNICATION FROM STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 26, 1979 and is on file in the office of the Chief Clerk:

Mr. David L. Wray
Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Mr. Wray:

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

These include eight (8) claims of a general nature. This supplements our filing on January 9, 1979.

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

David L. Wray, Chief Clerk

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
4913-68-25	Patricia A. Comfort Mt. Pleasant, Iowa Request for pay differential while waiting to be placed on the "eligible" register	\$ 72.45	Disapproved
5009-68-25	Wesley M. Jones Ottley, Iowa Billing for tools owned by claimant that were stolen on State property	210.40	Disapproved
5081-68-25	City of Bellevue Bellevue, Iowa Title XIX claim filed after the one year limitation	42.50	Disapproved
5082-68-25	City of Bellevue Bellevue, Iowa Title XIX claim filed after the one year limitation	47.50	Disapproved
5117-68-25	Beverly Jean Dotson Manchester, Iowa Request for reimbursement of clothing stolen from a State vehicle	624.00	Disapproved
5118-68-25	USPFO for Iowa Grimes, Iowa Request for payment of "Reports of Survey"	1,686.29	Disapproved
5146-68-25	Junior M. Stein Sigourney, Iowa Request for reimbursement of lost hearing aid	370.00	Disapproved
5159-68-25	Roy G. Skoglund West Des Moines, Iowa Request for refund of cost of personalized (vanity) license plates	-- 50.00	Disapproved

**SPONSOR ADDED
(House File 507)**

Bina of Scott requested to be added as a sponsor of House File 507.

**SPONSORS WITHDRAWN
(House File 242)**

Van Maanen of Mahaska and De Groot of Lyon requested to be withdrawn as sponsors of House File 242.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on February 26, 1979. Had I been present, I would have voted "aye" on House Files 22, 61, 92, 93, 97, 174 and 307; and "nay" on House Files 131 and 172.

GETTINGS of Wapello

I was necessarily absent from the House chamber on Friday morning, February 23 and Monday morning, February 26, 1979. Had I been present, I would have voted "aye" on House Joint Resolution 13 and "aye" on House File 22.

DIELEMAN of Marion

I was necessarily absent from the House chamber on February 26, 1979. Had I been present, I would have voted "aye" on House Files 22, 61, 92, 93, 97, 172, 174 and 307; and "nay" on House File 131.

WALTER of Pottawattamie

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 194 Human Resources**

Relating to the effect of the death of a distributor in a distributor franchise or the death of a dealer in a dealer franchise where the franchise concerns the distribution and sale of motor or special fuel and providing a penalty.

S.B. 195 Human Resources

Relating to liability of parents and stepparents for reasonable and necessary expenses of the family and the education of the children.

S.B. 196 Human Resources

Relating to licensing and regulation of child foster care facilities.

S.B. 197 Natural Resources

Providing for creation of a natural river preservation and management program.

S.B. 198 Judiciary and Law Enforcement

To empower board of parole to act as commutation board for lifers in specified circumstances, sharing (but not pre-empting) the commutation power of the Governor.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 86, a bill for an act regarding publication of notice of the sale of public bonds.

Recommended Do Pass.

Fiscal note is not required.

Committee Bill (Formerly H.F. 329), a bill for an act to authorize real property loans secured by alternative mortgage instruments.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly H.F. 227), a bill for an act requiring a parent, guardian or custodian, if financially able, to pay in whole or in part for the employment of counsel for his or her child pursuant to child in need of assistance and family in need of assistance proceedings.

Recommended Amend and Do Pass.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly H.F. 383), a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Recommended Amend and Do Pass.

• **Study Bill 36**, relating to the hotel and motel tax.

Recommended **Amend and Do Pass**.

Study Bill 140, relating to the filing requirements for individual income tax returns by increasing the minimum filing requirements and by expanding the limitation on filing requirements.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3257	H.F. 649	Schroeder of Pottawattamie
H-3258	H.F. 421	Brandt of Black Hawk
H-3259	H.F. 337	Bruner of Story
		Rapp of Black Hawk
H-3260	H.F. 337	Jochum of Dubuque
		O'Kane of Woodbury
		Bruner of Story
		Rapp of Black Hawk
H-3261	H.F. 337	Jochum of Dubuque
		O'Kane of Woodbury
		Bruner of Story
		Rapp of Black Hawk

On motion by Halvorson of Clayton the House adjourned at 9:13 a.m., until 9:00 a.m., Wednesday, February 28, 1979.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day — Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 28, 1979

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

Prayer was offered by the Reverend Al Cookson, pastor of the United Christian Church, Henderson, Iowa.

The Journal of Tuesday, February 27, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, Marshalltown, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Howard on request of Smalley of Polk; Anderson of Jasper on request of Avenson of Fayette.

PRESENTATION OF VISITORS

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

Thirty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mrs. Leyria Walters and Mrs. Patricia Sorensen. By Thompson of Polk.

INTRODUCTION OF BILL

House File 650, by committee on ways and means, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Read first time and placed on the ways and means 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 on February 26, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 60, a bill for an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

Also: That the Senate has on February 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 135, a bill for an act relating to the notice of oleomargarine in public eating places.

Also: That the Senate has on February 26, 1979, passed the following bill in which the concurrence of the Senate was asked:

House Concurrent Resolution 7, inviting the Pioneer Lawmakers to attend a joint session of the Sixty-eighth General Assembly on Thursday, April 19, 1979, at 1:30 p.m.

FRANK J. STORK, Secretary

On motion by Halvorson of Clayton the House was recessed at 9:24 a.m., until 4:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Egenes of Story on request of Clark of Lee; Husak of Tama on request of Hinkhouse of Cedar; Hansen of O'Brien and Evans of Grundy on request of West of Marshall, all for the remainder of the week, and Perkins of Greene on request of Brandt of Black Hawk.

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 on February 28, 1979, amended and passed the following Concurrent Resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 13, granting an extension of time to the state land preservation policy commission to file their report.

FRANK J. STORK, Secretary

SENATE AMENDMENT CONSIDERED

Smalley of Polk called up for consideration House Concurrent Resolution 13, granting an extension of time to the state land preservation policy commission to file their report, amended by the Senate, and moved that the House concur in the following Senate amendment H—3265:

H—3265

- 1 Amend House Concurrent Resolution 13 as passed by
- 2 the House as follows:
- 3 1. Page 1, by striking lines 25 through 31 and in-
- 4 serting in lieu thereof the following: "two months in
- 5 the time required for the filing of its recommendations;
- 6 and
- 7 *Be It Further Resolved*, That the temporary state land
- 8 preservation policy commission is instructed to submit a
- 9 report by May 1, 1979 which is suitable for use by the
- 10 committees on natural resources in drafting a study bill
- 11 for legislative consideration."

The motion prevailed and the House concurred in the Senate amendment H—3265.

Smalley of Polk moved that the resolution, as amended by the Senate and concurred in by the House, be adopted.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 420, a bill for an act to authorize the department of revenue to credit gas and franchise tax refunds against the tax liability of a taxpayer, was taken up for consideration.

Lura of Marshall 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. 420)

The ayes were, 90:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jesse
Jochum	Johnson, R.	Johnson, W*	Kirkenslager
Krewson	Lageschulte	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	ShimaneK	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Anderson, R.	Clark, J.H.	Egenes	Evans
Hansen, I.	Husak	Johnson, J.	Larsen
Patchett	Welden		

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

House File 421, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law, was taken up for consideration.

Brandt of Black Hawk offered the following amendment H—3258 filed by her and moved its adoption:

H—3258

- 1 Amend House File 421 as follows:
- 2 1. Page 2, line 18, by inserting after the word
- 3 "laws" the words "that are as strict as the laws of
- 4 this state".

Amendment H—3258 was adopted.

Conlon of Muscatine offered the following amendment H—3262 filed by him from the floor and moved its adoption:

H—3262

- 1 Amend House File 421 as follows:
- 2 1. Page 1, line 22, by inserting after the word
- 3 "states" the word "state".
- 4 2. Page 2, by striking line 8 and inserting in
- 5 lieu thereof the following: "examination of such
- 6 state returns and other state information which is".
- 7 3. Page 2, line 13, by inserting after the word
- 8 "of" the word "state".
- 9 4. Page 2, line 15, by inserting after the word
- 10 "of" the word "state".

Amendment H—3262 was adopted.

Shull of Warren 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. 421)

The ayes were, 87:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Jay	Jesse	Jochum	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan

Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 4:

Cusack	Hummel	Miller	Tyrrell
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Absent or not voting, 9:

Anderson, R.	Egenes	Evans	Hansen, I.
Howell	Husak	Johnson, J.	Patchett
Welden			

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

POINT OF ORDER

Jesse of Polk rose on a point of order and invoked Rule 32, paragraph 2, on House File 337.

Jesse of Polk asked and received unanimous consent to withdraw his point of order.

REGULAR CALENDAR

House File 337, a bill for an act amending section four hundred seventy-six point six (476.6), unnumbered paragraph six (6), of the Code to provide that the rate of interest payable by a public utility on amounts refunded to customers under that paragraph shall not be more than twelve percent per annum, compounded annually, was taken up for consideration.

Jochum of Dubuque offered the following amendment H-3260 filed by Jochum, et al.:

H-3260

- 1 Amend House File 337 as follows:
- 2 1. Page 1, by inserting before line 1 the

3 following:

4 "Section 1. Section four hundred seventy-six point
5 six (476.6), unnumbered paragraph one (1), Code 1979,
6 is amended to read as follows:
7 No A public utility which is subject to rate
8 regulation shall not make effective any new or changed
9 rate, charge, schedule or regulation except by filing
10 the same it with the commission at least thirty days
11 prior to the its effective date thereof. The commis-
12 sion, for good cause shown, may allow changes in
13 rates, charges, schedules or regulations to become
14 effective on less than thirty days' notice. The
15 commission shall not approve a charge nor shall a
16 public utility make a charge for telephone directory
17 assistance. A public utility which is subject to
18 rate regulation shall not file a new or changed rate,
19 charge, schedule or regulation respecting a type or
20 category of service provided by the public utility
21 while a previously filed, new or changed rate, charge,
22 schedule or regulation respecting the same type or
23 category of service is still pending either before
24 the commission, or before the courts pursuant to judi-
25 cial review. A new or changed rate, charge, schedule
26 or regulation which is filed in violation of this
27 paragraph is void."
28 2. By renumbering sections of the bill.

Swearingen of Keokuk rose on a point of order that amendment
H—3260 was not germane.

The Speaker ruled the point well taken and amendment
H—3260 not germane.

Jochum of Dubuque moved that the rules be suspended for the
consideration of amendment H—3260.

Roll call was requested by Jochum of Dubuque and Arnould of
Scott.

On the question "Shall the rules be suspended?"

The ayes were, 39:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chlodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse

Horn	Howell	Hullinger	Jay
Jesse	Jochum	Lohergan	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Halvorson, R.A.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, R.	Johnson, W.	Kirkenlager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 12:

Anderson, R.	Egenes	Evans	Hansen, I.
Husak	Johnson, J.	Krewson	Lloyd-Jones
Menke	Patchett	Perkins	Stromer

The motion lost.

Jochum of Dubuque offered the following amendment H-3261 filed by Jochum, et al.:

H-3261

- 1 Amend House File 337 as follows:
- 2 1. Page 1, by striking lines 1 through 19 and
- 3 inserting in lieu thereof the following:
- 4 "Section 1. Section four hundred seventy-six point
- 5 six (476.6), Code 1979, is amended to read as follows:
- 6 476.6 CHANGE OF RATES - HEARING.
- 7 1. No A public utility subject to rate regulation
- 8 shall not make effective any new or changed rate,
- 9 charge, schedule or regulation except by filing the
- 10 same with the commission at least thirty days prior
- 11 to the effective date thereof. The commission, for
- 12 good cause shown, may allow changes in rates, charges,
- 13 schedules or regulations to become effective on less
- 14 than thirty days' notice until the rate, charge,

15 schedule or regulation has been filed with and approved
16 by the commission, except as otherwise provided in
17 this section or section two (2) of this Act. At the
18 time of filing, all statements of fact, expert
19 opinions, substantiating documents and exhibits which
20 will be used to support the request shall be included.
21 However, a utility shall not be denied the right to
22 submit additional information after the date of filing
23 if necessary to refute points raised after the date
24 of filing which are in opposition to the approval
25 requested in the filing. The commission shall not
26 approve a charge nor shall a public utility make a
27 charge for telephone directory assistance.

28 2. All public utilities, including those exempted
29 from rate regulation by the provisions of section
30 476.1, shall give written notice of any proposed
31 increase of any rate or charge to all affected
32 customers served by the public utility. Public
33 utilities which are exempt from rate regulation shall
34 give notice at least thirty days prior to the effective
35 date thereof of the increase. If the public utility
36 is subject to rate regulation, the notice to affected
37 customers shall also state that the customer has a
38 right to file a written objection to such rate increase
39 and that he may request the commission to hold a
40 public hearing to determine if such rate increase
41 should be allowed. The commission shall prescribe
42 the manner and method that the written notice to each
43 affected customer of the public utility shall be
44 served. Public utilities which are subject to rate
45 regulation shall give notice not later than forty-
46 five days after the request for the increase is filed
47 with the commission.

48 3. a. If a public utility is subject to rate
49 regulation the notice required by subsection two (2)
50 of this section shall state that the customer has

Page 2

1 a right to file a written objection to the proposed
2 rate increase. The notice also shall state that the
3 customer has the right to request an informational
4 hearing regarding the proposed increase. If the
5 commission receives timely requests from at least
6 fifty affected customers the commission shall issue
7 an order that an informational hearing be held at
8 the date, time and place specified in the order.
9 The informational hearing must be held in a central
10 location in the area affected by the proposed rate
11 increase and not less than ten days after the
12 commission issues the order setting that hearing.
13 A copy of the order shall be mailed on the date issued

14 by ordinary first class mail, postage prepaid, to
15 the utility and to each person submitting a timely
16 request. The commission also shall cause notice of
17 the hearing to be published in a newspaper with general
18 circulation in the affected area not less than five
19 calendar days prior to the hearing date.

20 b. The informational hearing shall be held prior
21 to the commencement of formal rate proceedings before
22 the commission. A member of the commission or a
23 hearing examiner shall serve as the presiding officer
24 at the hearing and shall establish an agenda which
25 must include a summary of the legal rights of affected
26 customers. Testimony given at the informational
27 hearing, either orally or in writing, shall be reported
28 and transcribed and shall become part of the record
29 in formal proceedings.

30 c. The commission shall issue rules specifying
31 the form, content, time and manner of delivery of
32 the notice and the request specified in this
33 subsection. Rules must allow an affected customer
34 not less than fifteen calendar days in which to submit
35 a request for an informational hearing, measured from
36 the date notice of the proposed rate increase is
37 mailed by the utility to its customers. Rules also
38 must allow the submission of requests either
39 individually or in petition form.

40 4. Nothing in this chapter shall be taken to
41 prohibit a public utility from establishing a sliding
42 scale of rates and charges or from making provision
43 for the automatic adjustment of rates and charges
44 for public utility service provided that a schedule
45 showing such sliding scale or automatic adjustment
46 of rates and charges is first filed with and approved
47 by the commission.

48 5. Whenever there is filed with the commission
49 by any public utility subject to rate regulation any
50 new or changed rates, charges, schedules or

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1 regulations, the commission may, prior to the effective
2 date thereof, docket the case as a formal proceeding
3 and set the case for hearing. The commission shall
4 give such notice of such formal proceedings as it
5 deems appropriate at least sixty days prior to the
6 date set for commencement of the hearing by publication
7 in a newspaper with general circulation in the affected
8 area.

9 After the initiation of such formal proceedings
10 and pending the final decision thereon, the commission
11 may, at any time before they become effective, suspend

12 the operation of such new or changed rates, charges,
13 schedules or regulations, but not for a period longer
14 than twelve months from the date when they would have
15 become effective if not suspended.

16 However, a public utility shall have the right
17 at any time after said rates, charges, schedules or
18 regulations have been suspended for ninety days to
19 place in effect any or all of such suspended rates,
20 charges, schedules or regulations by filing with the
21 commission a bond or other undertaking approved by
22 the commission conditioned upon the refund in a manner
23 to be prescribed by the commission of any amounts
24 collected thereunder in excess of the amounts which
25 would have been collected under rates, charges,
26 schedules or regulations finally approved by the
27 commission. The commission shall establish a rate
28 of interest to be paid by a public utility to persons
29 receiving refunds. Such rate of interest shall be
30 not less than five percent per annum, nor more than
31 nine percent per annum.

32 6. If, after hearing and decision on all issues
33 presented for determination in such rate a formal
34 proceeding, the commission shall find finds the
35 proposed rates, charges, schedules or rules regulations
36 of the utility to be unlawful, the same shall be set
37 aside and the commission shall by order authorize
38 and direct the utility to file rates, charges,
39 schedules or rules regulations which, when approved
40 by the commission and placed in effect, will satisfy
41 the requirements of this chapter. The rates, charges,
42 schedules or rules regulations so approved shall be
43 lawful and effective unless changed as herein provided
44 fourteen days after the date of approval, or at a
45 later date when the public utility places them into
46 effect. In the event a petition for rehearing is
47 filed or a petition for judicial review is sought
48 from an order concerning rates, charges, schedules
49 or rules which are in effect under bond, those rates,
50 charges, schedules or rules may, notwithstanding the

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1 terms of the Iowa administrative procedure Act, be
2 continued in effect by the utility under the terms
3 of a bond or other undertaking pending final
4 determination of the application for rehearing or
5 proceeding for judicial review of an order of the
6 commission.

7 7. If a decision is not rendered by the commission
8 within nine months after the date of filing, plus
9 extensions of time as provided in this subsection,

10 the utility has the right to place into effect as
11 of the expiration of the nine-month period plus
12 extensions any or all of the rates, charges, schedules
13 or regulations requested by filing with the commission
14 a bond or other undertaking approved by the commission
15 conditioned upon the refund in a manner to be
16 prescribed by the commission of any amounts collected
17 in excess of the amounts which would have been
18 collected under the rates, charges, schedules or
19 regulations finally approved by the commission. The
20 commission shall establish a rate of interest to be
21 paid by a public utility to persons receiving refunds,
22 which rate shall not be less than five nor more than
23 twelve percent. The nine-month period specified in
24 this subsection shall be extended for a period equal
25 to any delay or postponement of the proceedings or
26 the final decision which occurs at the request or
27 by agreement of the utility. In the event a utility
28 elects to place a rate, charge, schedule or regulation
29 into effect under the authority of this subsection,
30 a temporary authority which has been granted to the
31 utility by the commission under section two (2) of
32 this Act, and the terms, conditions and limitations
33 contained in the temporary authority, shall terminate
34 on the date the new rate, charge, schedule or
35 regulation is placed into effect under this subsection.

36 Sec. 2. Chapter four hundred seventy-six (476),
37 Code 1979, is amended by adding the following new
38 section:

39 NEW SECTION. If the commission determines after
40 notice and hearing that a new or changed rate, charge,
41 schedule or regulation is essential to protect the
42 public interest or to enable a utility to provide
43 reasonably adequate service or preserve its property
44 while a proceeding is in progress under sections four
45 hundred seventy-six point six (476.6) or four hundred
46 seventy-six point seven (476.7) of the Code, the
47 commission may approve, subject to terms, conditions
48 and limitations as it deems proper, a reasonable and
49 temporary rate, charge, schedule or regulation which
50 shall be in effect until a decision is rendered by

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1 the commission in the proceeding. When temporary
2 authority is granted by the commission under this
3 section, a party acting upon any part of that order
4 shall be deemed to have accepted and waived all
5 objections to the terms, conditions and limitations
6 contained in the temporary authority. However, this
7 section does not require or authorize the commission

8 to require that a utility refund any portion of amounts
9 collected under a temporary order issued under this
10 section.

11 Sec. 3. This Act takes effect January first
12 following its enactment. The provisions of this Act
13 apply only to the proceedings under section four
14 hundred seventy-six point six (476.6) or four hundred
15 seventy-six point seven (476.7) of the Code which
16 are commenced by a request submitted on or after the
17 effective date of this Act."

Swearingen of Keokuk rose on a point of order that amendment H—3261 was not germane.

The Speaker ruled the point well taken and amendment H—3261 not germane.

Jochum of Dubuque moved that the rules be suspended for the consideration of amendment H—3261.

Roll call was requested by Jochum of Dubuque and Jesse of Polk.

Rule 80 was invoked.

On the question "Shall the rules be suspended?"

The ayes were, 40:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Lloyd Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Halvorson, R.A.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, R.	Johnson, W.	Kirkenslager	Krewson

Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 8:

Anderson, R.	Egenes	Evans	Hansen, I.
Husak	Johnson, J.	Patchett	Perkins

The motion lost.

Bruner of Story offered the following amendment H—3259 filed by him and Rapp of Black Hawk:

H—3259

1 Amend House File 337 as follows:
 2 1. Page 1, by striking lines 15 through 17 and
 3 inserting in lieu thereof the following: "to persons
 4 receiving refunds under this paragraph. Such rate
 5 of interest shall be not less than five percent per
 6 annum, nor more than ~~nine~~ twelve percent per annum,
 7 compounded annually. The rate of interest established
 8 by the commission under this paragraph also shall
 9 apply to and be paid by all public utilities on those
 10 customer accounts on which customers make payments
 11 in advance for utility services to be provided in
 12 the future, and the interest shall accrue to each
 13 of these customers for each billing cycle according
 14 to the amount by which the account balance exceeds
 15 the amount due for current service."

Rapp of Black Hawk offered the following amendment H—3266, to amendment H—3259, filed by him and Bruner of Story from the floor and moved its adoption:

H—3266

1 Amend amendment H—3259, to House File 337, as
 2 follows:
 3 1. Page 1, line 9, by striking the word "those"
 4 and inserting in lieu thereof the words "customer
 5 deposits and on those".

Amendment H—3266 lost.

Rapp of Black Hawk offered the following amendment H—3267, to amendment H—3259, filed by him and Bruner of Story from the floor and moved its adoption:

H—3267

- 1 Amend amendment H—3259, to House File 337, as
- 2 follows:
- 3 1. Page 1, line 15, by inserting after the
- 4 word "service," the following: This rate of interest
- 5 shall also be the maximum interest or penalty
- 6 charged by all public utilities for utility services
- 7 provided in the past on which customers have not
- 8 made payment."

Roll call was requested by Byerly of Polk and Chiodo of Polk.

On the question "Shall amendment H—3267 be adopted?"

The ayes were, 41:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	De Groot	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Lloyd-Jones
Lonerган	Miller	Norland	O'Kane
Oxley	Pavich	Rapp	Ritsema
Sherzan	Spear	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	Dieleman	Diemer
Halvorson, R.A.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Pope	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 11:

Anderson, R.	Clark, J.H.	Egenes	Evans
Hansen, I.	Husak	Johnson, J.	Patchett
Perkins	Poffenberger	Walter	

Amendment H — 3267 lost.

Bruner of Story moved the adoption of amendment H — 3259.

Roll call was requested by Rapp of Black Hawk and Arnould of Scott.

Rule 80 was invoked.

On the question "Shall amendment H — 3259 be adopted?"

The ayes were, 44:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Crabb
Cusack	Davitt	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Lura	McKean	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Ritsema	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 46:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Halvorson, R.A.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Maulsby	Menke
Mullins	Pellet	Pelton	Pope
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 10:

Anderson, R.	Clark, J.H.	Egenes	Evans
Hansen, I.	Husak	Johnson, J.	Patchett
Perkins,	Poffenberger		

Amendment H—3259 lost.

Swearingen 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. 337)

The ayes were, 92:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Anderson, R.	Egenes	Evans	Hansen, I.
Husak	Johnson, J.	Patchett	Perkins

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

SPONSOR ADDED
(House File 256)

Bina of Scott requested to be added as a sponsor of House File 256.

SPONSOR WITHDRAWN
(House File 576)

Lloyd-Jones of Johnson requested to be withdrawn as a sponsor of House File 576.

**COMMUNICATION FROM
SECRETARY OF STATE**

February 28, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 101, was published in The Forest City Summit, Forest City, Iowa, on February 15, 1979, and in the Muscatine Journal, Muscatine, Iowa on February 13, 1979, and republished February 22, 1979.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

**COMMUNICATION FROM
IOWA DEPARTMENT OF HEALTH**

A report from the Iowa Department of Health to the Sixty-eighth General Assembly was received and is on file in the office of the Chief Clerk pursuant to House Files 597 and 2243.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 199 Ways and Means

Relating to the administration of the motor fuel and special fuel laws.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 3:30 p.m., February 27, 1979

Convened: 3:45 p.m.

Adjourned: 4:45 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Arnould, Conlon, Corey, Hibbs, Holt, Lloyd-Jones, Lonergan and Maulsby.

Absent: Clark of Cerro Gordo (arrived at 3:50 p.m.), Jesse (arrived at 3:50 p.m.), Smalley, Walter (arrived at 3:50 p.m.) and Welsh (arrived at 4:00 p.m.).

Excused: Doyle and Johnson of Howard.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

Study Bill 108, relating to veteran's preference for public employment appointments in civil service.

Recommended **Amend and Do Pass**.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 94, a bill for an act permitting fees of attorneys appointed by the court to be determined by judicial officers other than part-time magistrates.

Recommended **Do Pass**.

House File 189, a bill for an act to legalize the proceedings of the city of Havelock, Iowa in connection with the letting of certain contracts.

Recommended **Do Pass**.

House File 300, a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property.

Recommended **Do Pass**.

Study Bill 144, providing for limited guardianships under the Iowa probate code.

Recommended **Do Pass**.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 198, a bill for an act relating to eligibility of municipal fire and police personnel for workers' compensation.

Recommended **Amend and Do Pass**. (In accordance with amendment H-3247 filed on February 22, 1979.)

COMMITTEE ON STATE GOVERNMENT

Study Bill 184, making various additions and revisions to current election laws.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3263	H.F. 632	Conlon of Muscatine
H-3264	H.F. 94	Conlon of Muscatine
H-3268	H.F. 498	Spear of Lee
H-3269	H.F. 613	Connors of Polk

On motion by Halvorson of Clayton the House adjourned at 5:50 p.m. until 9:00 a.m., Thursday, March 1, 1979.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day — Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 1, 1979

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

Prayer was offered by the Reverend Charles William Hanko, pastor of the First Congregational Church, Forest City, Iowa.

The Journal of Wednesday, February 28, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Miller, North English, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Howard for the morning session on request of Smalley of Polk; O'Kane of Woodbury on request of Groth of Buena Vista; Kirkenlager of Des Moines on request of Hoffmann of Muscatine.

INTRODUCTION OF BILLS

House File 651, by committee on judiciary and law enforcement, a bill for an act relating to the filing of objections to estate or property appraisalment.

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

House File 652, by committee on cities, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility or a voluntary non-profit hospital.

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

House File 653, by committee on judiciary and law enforcement, a bill for an act relating to the authorization to manufacture, distribute, sell, prescribe and use amygdalin in this state and providing a penalty.

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

House File 654, by committee on transportation, a bill for an act to prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties.

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

House File 655, by committee on ways and means, a bill for an act relating to the filing requirements for individual income tax returns by increasing the minimum filing requirements and by expanding the limitation on filing requirements and making the Act retroactive.

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

House File 656, by committee on judiciary and law enforcement, a bill for an act relating to the filing of requests and giving notice of claims against probated estates.

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

SENATE MESSAGE CONSIDERED

Senate File 135, a bill for an act relating to the notice of oleomargarine in public eating places.

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

On motion by Halvorson of Clayton the House was recessed at 9:18 a.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 369, a bill for an act to provide a contribution rate for unemployment compensation benefits for contributing governmental employers, was taken up for consideration.

Tofte of Winneshiek 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. 369)

The ayes were, 80:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	De Groot	Dieleman
Diemer	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Harbor
Hibbs	Hoffmann	Horn	Howell
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
Menke	Miller	Mullins	Pavich
Pellett	Pelton	Perkins	Pope
Ritsema	Schneklath	Schroeder	ShimaneK
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 20:

Anderson, R.	Danker	Davitt	Doyle
Egenes	Evans	Hansen, I.	Hinkhouse
Holt	Hullinger	Husak	Kirkenslager
McKean	Norland	O'Kane	Oxley
Patchett	Poffenberger	Rapp	Sherzan

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

House File 451, a bill for an act to prohibit certain corporations and certain trusts from acquiring or leasing agricultural land in Iowa, providing an enforcement mechanism therefor and providing a penalty, was taken up for consideration.

Van Maanen 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. 451)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 1:

Sherzan

Absent or not voting, 9:

Egenes	Evans	Hansen, I.	Husak
Kirkenslager	O'Kane	Oxley	Patchett
Schroeder			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Oxley of Linn for the remainder of the day on request of Pavich of Pottawattamie.

House File 455, a bill for an act relating to the amount of capital and surplus required for insurance companies to transact business in Iowa, 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?" (H.F. 455)

The ayes were, 88:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Merke	Mullins
Norland	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 1:

Miller

Absent or not voting, 11:

Egenes	Evans	Hansen, I.	Horn
Husak	Johnson, J.	Kirkenslager	O'Kane
Oxley	Stromer	Welden	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott for the remainder of the day on request of Cusack of Scott.

Senate File 70, a bill for an act to establish a senior judge system, with report of committee recommending amendment and passage was taken up for consideration.

Shimanek of Jones offered amendment H-3236 filed by the committee on judiciary and law enforcement on February 15, 1979, and found on page 574 of the House Journal.

Conlon of Muscatine offered the following amendment H-3249, to the committee amendment H-3236, filed by him and moved its adoption:

H-3249

- 1 Amend the Committee amendment, H-3236, to Senate
- 2 File 70 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, line 7, by inserting after the word
- 5 "period." the following: "In no event shall a senior
- 6 judge perform less than thirteen weeks of judicial
- 7 duties in each successive thirty-six month period."

Roll call was requested by Conlon of Muscatine and Woods of Polk.

On the question "Shall amendment H-3249 be adopted?"

The ayes were, 29:

Anderson, R.	Arnould	Bennett	Bruner
Byerly	Conlon	Cusack	Daggett

Danker	Groth	Hall	Halvorson, R.N.
Hummel	Johnson, J.	Johnson, W.	Lageschulte
Lind	Lura	Maulsby	Miller
Norland	Pellett	Perkins	Rapp
Schnekloth	Tyrrell	Van Maanen	West
Woods			

The nays were, 60:

Anderson, J.	Avenson	Binneboese	Brandt
Branstad	Chiodo	Clark, B.J.	Clark, J.H.
Connolly	Connors	Corey	Crabb
Crawford	Davitt	De Groot	Dieleman
Diemer	Doyle	Gettings	Halvorson, R.A.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Jay	Jesse	Jochum	Johnson, R.
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	McKean	Menke	Mullins
Patchett	Pavich	Pelton	Poffenberger
Pope	Ritsema	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Walter	Wells	Welsh	Mr. Speaker

Absent or not voting, 11:

Bina	Cochran	Egenes	Evans
Hansen, I.	Hullinger	Husak	Kirkenslager
O'Kane	Oxley	Welden	

Amendment H—3249 lost.

Patchett of Johnson offered the following amendment H—3276, to the committee amendment H—3236, filed by him from the floor and moved its adoption:

H—3276

- 1 Amend amendment H—3236, to page 2 of Senate
- 2 File 70, as passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 2 the
- 4 following:
- 5 "1. Page 2, line 8, by striking the figures
- 6 "1979" and inserting in lieu thereof the figures
- 7 "1977"."
- 8 2. Page 1, by inserting after line 7 the
- 9 following:
- 10 "5. A judicial officer referred to in subsec-
- 11 tion one (1) of this section who retired from office

12 on or after the date specified in subsection two (2)
13 of this section and before the effective date of this
14 Act may become a senior judge by filing with the clerk
15 of court not later than thirty days after the effective
16 date of this Act a written election in the form
17 specified by the court administrator. If prior to
18 the effective date of this Act the judicial officer
19 filed an election to practice law under section six
20 hundred five point twenty-five (605.25) of the Code,
21 the filing of an election under this subsection revokes
22 the election to practice law, and the judicial officer
23 shall divest himself or herself of any interest in
24 the practice of law within ninety days after the
25 effective date of this Act. For purposes of subsection
26 two (2), paragraph d, of this section only, the date
27 of retirement of a judicial officer who files an
28 election under the authority of this subsection shall
29 be deemed to be the effective date of this Act."

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment H—3276 lost.

Lura of Marshall offered the following amendment H—3277, to the committee amendment H—3236, filed by him from the floor and moved its adoption:

H—3277

1 Amend amendment H—3236, to Senate File 70 as
2 passed by the Senate and reprinted, as follows:
3 1. Page 1, line 7, by inserting after the word
4 "period." the following: "In no event shall a
5 senior judge perform less than four weeks of judicial
6 duties in each successive twelve month period."

A non-record roll call was requested.

The ayes were 36, nays 52.

Amendment H—3277 lost.

On motion by Shimanek of Jones, the committee amendment H—3236 was adopted.

Conlon of Muscatine offered the following amendment H—3250 filed by him and moved its adoption:

H—3250

- 1 Amend Senate File 70, as amended, passed and
2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 19 through 22 and
4 inserting in lieu thereof the words "judge whose name
5 is contained in the roster of senior judges."
- 6 2. Page 1, line 35, by striking the words "may
7 become" and inserting in lieu thereof the words "may
8 apply for appointment as".
- 9 3. Page 2, line 6, by striking the words "for
10 a" and inserting in lieu thereof the words "for
11 appointment to a".
- 12 4. Page 2, by striking lines 25 through 27 and
13 inserting in lieu thereof the words "book the name
14 of each judicial officer who is appointed to a senior
15 judgeship by the supreme court under section eight
16 (8) of this Act. A person shall".
- 17 5. Page 2, by inserting after line 33 the
18 following:
19 "4. The clerk of the supreme court shall maintain
20 a book entitled "Senior Judge Applicants", and shall
21 enter in the book the name of each judicial officer
22 who files a timely election under subsection one (1)
23 of this section and qualifies under subsection two
24 (2) of this section. A person may have his or-her
25 name stricken from the list upon written request."
- 26 6. Page 3, by striking line 20 and inserting in
27 lieu thereof the following:
28 "Sec. 8. NEW SECTION. APPOINTMENT OF SENIOR
29 JUDGES—SERVICE.
30 1. The supreme court may appoint retired judicial
31 officers as senior judges, subject to the provisions
32 of this section. A person shall not be appointed
33 as a senior judge unless the supreme court first
34 determines that the judicial business of this state
35 cannot reasonably be performed by judicial officers
36 who are currently serving or are available for service,
37 including judicial officers who are subject to
38 reassignment under chapter six hundred two (602) of
39 the Code and previously appointed senior judges.
40 2. If the supreme court determines under subsection
41 one (1) of this section that there is a need for
42 appointment of a senior judge, the supreme court shall
43 appoint a person whose name is contained in the list
44 of applicants maintained under section five (5),
45 subsection four (4) of this Act, and who submits
46 evidence to the satisfaction of the supreme court

47 that he or she continues to satisfy the condition
 48 established in section five (5), subsection two (2),
 49 paragraph d, of this Act, and who is qualified to
 50 serve on the courts for which temporary service is

Page 2

1 required. The supreme court may adopt administrative
 2 rules governing the method of selection. Upon
 3 appointment as a senior judge, the clerk of the supreme
 4 court shall strike the name of the senior judge from
 5 the list of senior judge applicants."

6 7. Page 3, line 21, by inserting before the word
 7 "Section" the figure "3."

A non-record roll call was requested.

The ayes were 30, nays 56.

Amendment H—3250 lost.

Miller of Buchanan offered the following amendment H—3220
 filed by him and moved its adoption:

H—3220

1 Amend Senate File 70 as follows:

2 1. Page 2, by inserting after line 22 the
 3 following:

4 "e. Actually performs judicial duties as
 5 assigned by the supreme court for an aggregate
 6 period of at least nine weeks out of each successive
 7 twelve-month period."

Roll call was requested by Miller of Buchanan and Conlon of
 Muscatine.

Rule 80 was invoked.

On the question "Shall amendment H—3220 be adopted?"

The ayes were, 42:

Anderson, J.
 Bennett
 Chiodo
 De Groot
 Groth

Anderson, R.
 Binneboese
 Conlon
 Dieleman
 Hall

Arnould
 Bruner
 Connors
 Diemer
 Halvorson, R.N.

Avenson
 Byerly
 Cusack
 Gettings
 Horn

Howell	Hullinger	Hummel	Jochum
Johnson, J.	Johnson, W.	Lageschulte	Lind
Lura	Maulsby	Miller	Norland
Pavich	Pellett	Rapp	Schnekloth
Swearingen	Tyrrrell	Van Maanen	Wells
Welsh	Woods		

The nays were, 42:

Brandt	Branstad	Clark, B.J.	Clark, J.H.
Connolly	Corey	Crabb	Crawford
Daggett	Davitt	Doyle	Halvorson, R.A.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Jay	Jesse	Johnson, R.
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	McKean	Mullins	Pelton
Poffenberger	Pope	Ritsema	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Thompson	Tofte	Walter
West	Mr. Speaker		

Absent or not voting, 16:

Bina	Cochran	Danker	Egenes
Evans	Hansen, I.	Harbor	Husak
Kirkenslager	Menke	O'Kane	Oxley
Patchett	Perkins	Stromer	Welden

Amendment H—3220 lost.

Conlon of Muscatine offered the following amendment H—3252 filed by him:

H—3252

- 1 Amend Senate File 70 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by striking lines 21 through 23 and
- 4 inserting in lieu thereof the words "During the tenure
- 5 of a senior judge."
- 6 2. Page 5, by striking lines 8 through 11 and
- 7 inserting in lieu thereof the words "be a senior
- 8 judge."
- 9 3. Page 6, by inserting after line 16 the
- 10 following:
- 11 "Sec. . . . Section six hundred five point twenty-
- 12 five (605.25), Code 1979, is repealed."

Conlon of Muscatine offered the following amendment H—3274, to amendment H—3252, filed by him from the floor and moved its adoption:

H—3274

- 1 Amend amendment H—3252, to Senate File 70 as
- 2 passed by the Senate and reprinted, as follows:
- 3 1. Page 1, line 12, by striking the words "is
- 4 repealed" and inserting in lieu thereof the words
- 5 "shall not apply to any judge retiring after
- 6 the effective date of this Act".

A non-record roll call was requested.

The ayes were 57, nays 18.

Amendment H—3274 was adopted.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3252, as amended.

Conlon of Muscatine offered the following amendment H—3254 filed by him and moved its adoption:

H—3254

- 1 Amend Senate File 70 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by inserting after line 14 the following
- 4 new subsection:
- 5 " A senior judge also shall be available to
- 6 serve in the capacity of administrative hearing officer
- 7 under chapter seventeen A (17A) of the Code upon the
- 8 request of an agency, and the supreme court may assign
- 9 a senior judge for temporary duties as a hearing
- 10 officer. A senior judge shall not be required to
- 11 serve a period of time as a hearing officer which,
- 12 when added to the period of time being served by the
- 13 person as a judge, if any, would exceed the maximum
- 14 period of time the person agreed to serve pursuant
- 15 to section five (5), subsection two (2), of this Act."

A non-record roll call was requested.

The ayes were 56, nays 28.

Amendment H—3254 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3214 (to page 6) filed by him on February 7, 1979.

Spear of Lee offered the following amendment H—3219 filed by him:

H—3219

1 Amend Senate File 70, as amended, passed and re-
2 printed by the Senate as follows:
3 1. Page 6, by inserting after line 10 the follow-
4 ing:
5 "Sec. . NEW SECTION. TAXATION. A senior
6 judge, a person who has served as a senior judge for
7 a period of at least twelve months, or a retired
8 senior judge, or a survivor of any of these, who
9 receives an annuity from the Iowa judicial retire-
10 ment system fund, and whose net income, as defined
11 in section four hundred twenty-two point seven (422.7)
12 of the Code, is sufficient to require that the tax
13 be imposed upon it under section four hundred twenty-
14 two point five (422.5) of the Code, may determine
15 final taxable income for purposes of imposition of
16 the tax by excluding the amount of an annuity received
17 from the Iowa judicial retirement system fund, which
18 is not already excluded in determining net income,
19 as defined in section four hundred twenty-two point
20 seven (422.7) of the Code, up to a maximum each tax
21 year of five thousand seven hundred sixty dollars
22 for a person who files a separate state income tax
23 return and eight thousand six hundred forty dollars
24 total for a husband and wife who file a joint state
25 income tax return. The amount of the exemption shall
26 be reduced by the amount of any social security
27 benefits received. For the purpose of this section,
28 the amount of an annuity received from the Iowa
29 judicial retirement system fund taxable under the
30 Internal Revenue Code of 1954 shall be included in
31 net income for purposes of determining eligibility
32 under the four thousand dollar or less exclusion."
33 2. By renumbering sections of the bill.

Smalley of Polk rose on a point of order, that amendment H—3219 was not germane.

The Speaker ruled the point well taken and amendment H—3219 not germane.

Jesse of Polk moved to reconsider the vote by which the committee amendment H—3236 was adopted by the House on March 1, 1979.

A non-record roll call was requested.

The ayes were 34, nays 49.

The motion lost.

Shimanek of Jones 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. 70)

The ayes were, 73:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Halvorson, R.A.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Hummel	Jay	Jesse	Jochum
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
McKean	Menke	Miller	Mullins
Norland	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Walter	Wells	West
Mr. Speaker			

The nays were, 14:

Arnould	Byerly	Chiodo	Conlon
Gettings	Groth	Hall	Halvorson, R.N.
Johnson, J.	Lind	Lura	Maulsby
Tyrrell	Woods		

Absent or not voting, 13:

Bina	Egenes	Evans	Hansen, I.
Harbor	Horn	Husak	Kirkenslager
O'Kane	Oxley	Patchett	Welden
Welsh			

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 28, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 139, an act relating to the computation of individual and corporate income tax and the franchise tax by updating references to the internal revenue code and making the Act retroactive.

House File 168, an act relating to the rate of the fee upon turkeys delivered for processing.

SPONSOR ADDED (House File 135)

Bina of Scott requested to be added as a sponsor of House File 135.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 28, 1979. Had I been present, I would have voted "aye" on House Files 337, 420 and 421.

ANDERSON of Jasper

COMMUNICATION FROM THE IOWA TEMPORARY STATE LAND PRESERVATION POLICY COMMISSION

An interim report with appendices, submitted to the Sixty-eighth General Assembly, from The Temporary State Land Preservation Policy Commission has been received and is on file in the office of the Chief Clerk pursuant to Chapter 53, Sixty-seventh General Assembly, House File 210.

**COMMUNICATION FROM
THE DEPARTMENT OF TRANSPORTATION**

A report titled "Annual Report to the Legislature Concerning Section 601J.4 of the 1977 Code of Iowa" was received from the Iowa Department of Transportation and is on file in the office of the Chief Clerk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 200 Natural Resources

To provide a penalty for the use of a license for the taking of fish and animals obtained by another or by giving false information.

S.B. 201 Agriculture

To establish the present beef excise tax amounts as maximum amounts.

S.B. 202 Natural Resources

Relating to hunter safety programs and subjecting violators to a penalty.

S.B. 203 Natural Resources

Relating to timber buyers and providing penalties.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties.

Recommended **Amend and Do Pass**. (In accordance with amendment H-3246 filed on February 22, 1979.)

House File 304, a bill for an act permitting latch-open devices on fuel hose nozzle valves.

Recommended **Amend and Do Pass**.

H-3272

- 1 Amend House File 304 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "with" the word "automatic".
- 4 2. Page 1, by striking lines 7 and 8.

House File 391, a bill for an act granting the owner of land acquired by eminent domain or where eminent domain is available the option to repurchase the land not used for the project.

Recommended **Amend and Do Pass**.

H-3273

- 1 Amend House File 391 as follows:
- 2 1. Page 1, by striking lines 3 through 31 and
- 3 inserting in lieu thereof the following:
- 4 "NEW SECTION. DISPOSAL OF UNUSED LAND. When land
- 5 is acquired through eminent domain or purchased when
- 6 eminent domain is available, the condemnor or purchaser
- 7 shall grant an option to purchase the unused land
- 8 to the owner of the tract from which the land was
- 9 acquired or to an owner of an adjacent tract if the
- 10 entire tract was acquired. The option shall be granted
- 11 within five years of the date of purchase or entry
- 12 of final judgment under condemnation proceedings and
- 13 must be exercised within ninety days of the date it
- 14 is granted. If the option is exercised by the
- 15 condemnee or seller of the land, the price for the
- 16 unused land shall be the proportional part of the
- 17 original acquisition price of the condemnor or
- 18 purchaser. If the option is exercised by any other
- 19 person, the price shall be the market value of the
- 20 unused land.
- 21 For the purposes of this section "unused land"
- 22 means land which has been determined by the condemnor
- 23 or purchaser to be unnecessary to the completion of
- 24 the project for which it was acquired. Land not so
- 25 used within five years of its acquisition is presumed
- 26 to be unused land. If the land is held by the depart-
- 27 ment of transportation and has not been included in
- 28 the comprehensive plan for use within five years of
- 29 acquisition, it is presumed to be unused land. In
- 30 an action under this section, the burden shall be
- 31 on the condemnor or purchaser to prove that the land

32 has been or will be used. To the extent that this
 33 section and sections three hundred six point twenty-
 34 two (306.22) and three hundred six point twenty-three
 35 (306.23) of the Code conflict, this section shall
 36 prevail."

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act making a supplemental appropriation to the department of social services for aid to dependent children.

Recommended **Do Pass**.

COMMITTEE ON EDUCATION

House File 374, a bill for an act relating to the issuance and renewal of teacher certificates.

Recommended **Amend and Do Pass**.

H-3270

- 1 Amend House File 374 as follows:
- 2 1. Page 1, line 13, by striking the words "normal
- 3 schools," and inserting in lieu thereof the words
- 4 "normal schools;".

House File 471, a bill for an act relating to local advisory councils for vocational education.

Recommended **Amend and Do Pass**.

H-3271

- 1 Amend House File 471 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "business," the word "agriculture;".

Study Bill 66, relating to the salary of the administrator of an area education agency.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3275	H.F. 368	Pelton of Clinton
H-3278	H.F. 650	Anderson of Jasper
H-3279	H.F. 650	Anderson of Jasper
H-3280	H.F. 650	Hall of Linn
H-3281	H.F. 650	West of Marshall

H-3282	H.F. 650	Norland of Worth Avenson of Fayette Anderson of Jasper
H-3283	H.F. 452	Larsen of Wapello
H-3284	S.F. 81	Tofte of Winneshiek Halvorson of Clayton Avenson of Fayette Shimanek of Jones Hanson of Delaware
H-3285	H.F. 650	Norland of Worth
H-3286	H.F. 650	Krewson of Polk Lloyd-Jones of Johnson Smalley of Polk Lind of Black Hawk
H-3287	H.F. 498	Schroeder of Pottawattamie
H-3288	H.F. 650	Brandt of Black Hawk

On motion by Halvorson of Clayton the House adjourned at 5:00 p.m. until 10:00 a.m., Friday, March 2, 1979.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day—Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 2, 1979

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

Prayer was offered by the Honorable Andy McKean, state representative from Jones county.

The Journal of Thursday, March 1, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson on request of Walter of Pottawattamie; Harbor of Mills on request of Schroeder of Pottawattamie.

PETITIONS FILED

The following petitions were received and placed on file:

By Danker of Pottawattamie, from four thousand six hundred twenty-eight residents of Harrison, Crawford and Shelby counties, favoring legislation authorizing the construction of an overpass over the tracks of the Chicago & North Western Railway at its intersection with U.S. Highway 30 on the western boundary of the city of Missouri Valley, Iowa, and authorizing the state of Iowa to pay all of Missouri Valley's share of cost of the construction.

By Holt of Clay, from one hundred twenty-four constituents of the fourth district supporting legislation favoring share drafts.

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 on February 28, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 53, a bill for an act to revise the list of substances designated as controlled substances under the uniform controlled substances Act.

Also: That the Senate has on February 28, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 108, a bill for an act making a corrective amendment to section seven (7) of House File five hundred forty-five (545) enacted during the 1978 Session of the General Assembly, relating to the purchase by the risk management division of insurance for the board of regents.

Also: That the Senate has on February 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 24, a bill for an act requiring each county treasurer to annually report to the auditor of state the number of drainage or levee districts existing within the county.

Also: That the Senate has on February 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 159, a bill for an act making statutory changes which affect the duties, responsibilities and procedures of county treasurers with regard to tax sales, collection of taxes and fees, tax levies, maintenance of records and disposition of county funds.

Also: That the Senate has on February 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 172, a bill for an act relating to the retirement of teachers and administrators under the continuing contract law.

Also: That the Senate has on February 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 264, a bill for an act relating to the administration and financing for elections.

FRANK J. STORK, Secretary

QUORUM CALL

Roll call was requested by Van Maanen of Mahaska and West of Marshall to determine that a quorum was present.

Present, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Connors

Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
West	Woods	Mr. Speaker	

Absent, 13:

Chiodo	Cochran	Egenes	Evans
Hansen, I.	Harbor	Husak	Jesse
Patchett	Rapp	Smalley	Welden
Welsh			

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made, was taken up for consideration.

Norland of Worth offered the following amendment H-3282 filed by Norland, et al.:

H-3282

- 1 Amend House File 650 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. Section four hundred twenty-two point
- 5 thirty-five (422.35), Code 1979, is amended by adding
- 6 the following new subsection:
- 7 "NEW SUBSECTION. Subtract an amount equal to five
- 8 percent of the actual amount expended by the taxpayer
- 9 for salaries and wages within the state to permanent
- 10 full-time employees if the taxpayer is engaged in
- 11 assembling, fabricating, manufacturing, or processing

12 of any agricultural, mineral, or manufactured products.
 13 The additional deduction allowed under this subsection
 14 shall only apply to salaries and wages paid to new
 15 permanent full-time employees hired for new positions.
 16 and shall not apply to salaries and wages paid to
 17 permanent full-time employees hired to fill vacant
 18 positions.

19 Sec. 2. This Act is effective January first
 20 following enactment for tax years beginning on or
 21 after January first following enactment."

22 2. Amend the title, by striking all of the title
 23 after the word "Act" in line 1 and inserting in lieu
 24 thereof the words "to provide an additional deduction
 25 for certain corporate taxpayers for salaries and wages
 26 paid to new permanent full-time employees hired by
 27 the taxpayer."

Norland of Worth offered the following amendment H-3290, to amendment H-3282, filed by him from the floor and moved its adoption:

H-3290

1 Amend amendment H-3282 to House File 650 as
 2 follows:

3 1. Page 1, line 7, by striking the word "five"
 4 and inserting in lieu thereof the word "ten".

Amendment H-3290 was adopted.

Conlon of Muscatine rose on a point of order that amendment H-3282 was not germane.

The Speaker ruled the point well taken and amendment H-3282 not germane.

Norland of Worth moved that the rules be suspended for the consideration of amendment H-3282 as amended.

Roll call was requested by Norland of Worth and Davitt of Warren.

On the question "Shall the rules be suspended to consider amendment H-3282 as amended?"

The ayes were, 41:

Anderson, R.
 Binneboese

Arnould
 Brandt

Avenson
 Bruner

Bina
 Byerly

Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jochum	Lloyd-Jones	Lonergan
McKean	Miller	Norland	O'Kane
Oxley	Pavich	Perkins	Sherzan
Spears	Walter	Wells	Welsh
Woods			

The nays were, 47:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Halvorson, R.A.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellet
Pélton	Poffenberger	Pope	Schneklöth
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 12:

Crabb	Egenes	Evans	Hansen, I.
Harbor	Husak	Jesse	Patchett
Rapp	Ritsema	Schroeder	Welden

The motion lost.

Krewson of Polk offered the following amendment H — 3286 filed by Krewson, et al., and moved its adoption:

H — 3286.

- 1 Amend House File 650 as follows:
- 2 1. Page 1, line 2, by striking the words "or a
- 3 county board of supervisors, by resolution,".
- 4 2. Page 1, line 21, by striking the words "or
- 5 resolution".
- 6 3. Page 1, lines 22, 23, and 24, by striking the
- 7 words and figures "section three hundred thirty-two
- 8 point three (332.3), subsection thirteen (13), of
- 9 the Code in the case of a county, or".
- 10 4. Page 1, line 25, by striking the words "in
- 11 the case".
- 12 5. Page 1, by striking lines 26, 27, and 28.
- 13 6. Page 1, line 29, by striking the words

- 14 - "ordinance or resolution" and inserting in lieu thereof
 15 the words ". The ordinance".
 16 7. Page 2, lines 18 and 19, by striking the words
 17 "or the board of supervisors of a county".
 18 8. Page 2, line 32, by striking the words "or
 19 the board of supervisors of a county".
 20 9. Page 2, lines 34 and 35, by striking the words
 21 "or the board of supervisors, by resolution".
 22 10. Page 3, line 2, by striking the words "or
 23 county".
 24 11. Page 3, lines 7 and 8, by striking the words
 25 "or board of supervisors".
 26 12. Page 3, line 10, by striking the words "or
 27 the county board of supervisors".
 28 13. Page 3, lines 12 and 13, by striking the words
 29 "or county, the city council or the county board of
 30 supervisors" and inserting in lieu thereof the words
 31 ", the city council".

Roll call was requested by Chiodo of Polk and Krewson of Polk.

On the question "Shall amendment H-3286 be adopted?"

The ayes were, 58:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Connolly	Connors
Corey	Crawford	Cusack	Davitt
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Horn
Howell	Hummel	Jay	Jessè
Jochum	Kirkenlager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
McKean	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Shull
Smalley	Van Maanen	Walter	Wells
Welsh	Woods		

The nays were, 34:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Crabb	Daggett	Danker
De Groot	Halvorson, R.A.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Hullinger
Johnson, J.	Johnson, R.	Johnson, W.	Lura
Maulsby	Menke	Pope	Schnekloth

Schroeder
Thompson
West

Spear
Tofte
Mr. Speaker

Stromer
Tyrrell

Swearingen
Welden

Absent or not voting, 8:

Cochran
Harbor

Egenes
Husak

Evans
Lind

Hansen, I.
Patchett

Amendment H—3286 was adopted.

West of Marshall offered amendment H—3281 filed by him. Division was requested as follows:

H—3281

1 Amend House File 650 as follows:

H—3281A

2 1. Page 1, line 4, by striking the words "
3 excluding land,".

H—3281B

4 2. Page 1, lines 22, 23, and 24, by striking the
5 words and figures "three hundred thirty-two point
6 three (332.3), subsection thirteen (13)," and inserting
7 in lieu thereof the words and figures "three hundred
8 fifty-eight A point six (358A.6)".

9 3. Page 2, line 18, by striking the words
10 "governing body" and inserting in lieu thereof the
11 words "city council".

West of Marshall asked and received unanimous consent to temporarily defer action on amendment H—3281A.

On motion by West of Marshall, amendment H—3281B was adopted.

On motion by West of Marshall, amendment H—3281A was adopted.

Hall of Linn asked and received unanimous consent to defer action on amendment H—3280.

Anderson of Jasper offered amendment H—3278 filed by him and requested division as follows:

H-3278

1 Amend House File 650 as follows:

H-3278A

2 1. Page 1, line 14, by inserting after the word
3 "structure" the words "or refitting or completion
4 of a vacant building".

H-3278B

5 2. Page 1, by inserting after line 20 the
6 following: "However, no exemption shall be granted
7 until the property is placed in use."

On motion by Anderson of Jasper, amendment H-3278A was adopted.

On motion by Anderson of Jasper, amendment H-3278B was adopted.

Brandt of Black Hawk offered the following amendment H-3288 filed by her:

H-3288

1 Amend House File 650 as follows:
2 1. Page 1, line 14, by inserting after the word
3 "structure" the words ", unless the reconstruction
4 of an existing building or structure is required due
5 to the economic obsolescence and the reconstruction
6 is necessary to implement recognized industry standards
7 for the manufacturing or processing of specific
8 products and such reconstruction is required for the
9 owner of the building or structure to continue to
10 manufacture or process those products which
11 determination shall receive prior approval from the
12 city council of a city or the board of supervisors
13 of a county upon the recommendation of the Iowa
14 development commission".

Brandt of Black Hawk offered the following amendment H-3295, to amendment H-3288, filed by her from the floor and moved its adoption:

H-3295

1 Amend amendment H-3288, to page 1 of House File

2 650, as follows:

- 3 1. Page 1, by striking lines 12 and 13 and insert-
4 ing in lieu thereof the following: "city council of a
5 city upon the recommendation of the Iowa".

Amendment H—3295 was adopted.

Brandt of Black Hawk moved the adoption of amendment
H—3288, as amended.

The ayes were 78, nays 4.

Amendment H—3288, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Crabb of Crawford for the remainder of the day on request of Danker of Pottawattamie.

Anderson of Jasper offered the following amendment H—3279 filed by him:

H—3279

1 Amend House File 650 as follows:

2 1. Page 2, by striking lines 12 through 16 and
3 inserting in lieu thereof the following:

4 "a. For the first year, seventy-five thousand
5 dollars of actual value added for each additional
6 permanent full-time employee.

7 b. For the second year, sixty thousand dollars
8 of actual value added for each additional permanent
9 full-time employee.

10 c. For the third year, forty-five thousand dollars
11 of actual value added for each additional permanent
12 full-time employee.

13 d. For the fourth year, thirty thousand dollars
14 of actual value added for each additional permanent
15 full-time employee.

16 e. For the fifth year, fifteen thousand dollars
17 of actual value added for each additional permanent
18 full-time employee.

19 The application filed with the assessor shall
20 include the number of permanent full-time employees
21 of the owner in both the state and the county filed
22 with job service of Iowa following the first quarter
23 of the calendar year prior to the year in which the

24 value added is first assessed and the number of
 25 permanent full-time employees in both the state and
 26 county filed with job service of Iowa following the
 27 first quarter of the calendar year in which the value
 28 added is first assessed.

29 The number of additional permanent full-time
 30 employees used in determining the amount of actual
 31 value added eligible for exemption shall be the number
 32 of permanent full-time additional employees in the
 33 state or in the county, whichever is less.

34 Each year an exemption is granted the owner of
 35 the property shall file with the assessor the number
 36 of permanent full-time employees of the owner in both
 37 the state and the county filed with job service of
 38 Iowa. The most recent number of permanent full-time
 39 employees following the first quarter of the calendar
 40 year compared to the number of permanent full-time
 41 employees included in the application for the first
 42 quarter of the year prior to the year in which the
 43 value added is first assessed shall be the number
 44 of additional permanent full-time employees used in
 45 calculating an annual exemption."

Anderson of Jasper offered the following amendment H—3291,
 to amendment H—3279, filed by him from the floor and moved its
 adoption:

H—3291

1 Amend amendment H—3279, to page 2 of House
 2 File 650 as follows:

3 1. Page 1, line 24, by striking the words
 4 "value added is first assessed" and inserting in
 5 lieu thereof the words "exemption is first
 6 received".

7 2. Page 1, line 27 by striking the word "value"
 8 and inserting in lieu thereof the words "exemption
 9 is first received".

10 3. Page 1, by striking line 28.

11 4. Page 1, line 38, by inserting after the word
 12 "Iowa" the words "following the first quarter of
 13 that calendar year".

14 5. Page 1, line 43, by striking the words "value
 15 added is first assessed" and inserting in lieu
 16 thereof the words "exemption is first received".

Amendment H—3291 was adopted.

Anderson of Jasper moved the adoption of amendment H—3279,
 as amended.

Roll call was requested by Anderson of Jasper and Perkins of Greene.

On the question "Shall amendment H—3279, as amended, be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	McKean	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Spear
Tyrrell	Walter	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Halvorson, R.A.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 7:

Crabb	Egenes	Evans	Hansen, I.
Harbor	Husak	Patchett	

Amendment H—3279, as amended, lost.

Norland of Worth offered the following amendment H—3285 filed by him:

H—3285

1 Amend House File 650 as follows:

- 2 1. Page 3, by inserting after line 19 the following
3 new section:
4 "Sec. . NEW SECTION. Each assessor shall
5 submit a separate list to the county auditor as a
6 part of the tax list which is certified pursuant to
7 section four hundred forty-three point twenty-one
8 (443.21) of the Code. The separate list shall identify
9 each parcel of real property which has been granted
10 an exemption from taxation by a city or county under
11 this Act and the amount of the valuation which is
12 exempted and for which the state will provide
13 reimbursement. If the property is granted an exemption
14 by a city, the reimbursement shall be equal to twenty-
15 five percent of the school corporation general fund
16 levy in excess of the foundation levy provided under
17 section four hundred forty-two point one (442.1) of
18 the Code and the county tax levy. If the property
19 is granted an exemption by a county, the reimbursement
20 shall be equal to twenty-five percent of the school
21 corporation general fund levy in excess of the
22 foundation levy provided under section four hundred
23 forty-two point one (442.1) of the Code. The county
24 auditor shall include the valuation for which a state
25 reimbursement will be paid with the valuation of all
26 other property in the county which will be subject
27 to the property tax prior to the computation of the
28 levy pursuant to chapter four hundred forty-four (444)
29 of the Code for each political subdivision which
30 levies a tax against the valuation of that property.
31 The county treasurer shall levy the tax against the
32 valuation of the property which is exempted under
33 this Act and for which the state will provide
34 reimbursement and shall certify the amount of taxes
35 due to the treasurer of state who shall issue a warrant
36 in the amount of taxes due to the county treasurer.
37 The county treasurer shall apportion the funds received
38 in the manner required to the respective taxing
39 districts which might otherwise have levied taxes
40 against the valuation of the property had it not been
41 granted an exemption under this Act and which are
42 entitled to reimbursement under this section. There
43 is appropriated from the general fund of the state
44 an amount sufficient to carry out the provisions of
45 this section."
46 2. Amend the title, line 2, by inserting after
47 the word "made" the words "and making an
48 appropriation".

Norland of Worth offered the following amendment H-3296, to amendment H-3285, filed by him from the floor and moved its adoption:

H-3296

- 1 Amend amendment H-3285, to page 3 of House File
- 2 650, as follows:
- 3 1. Page 1, line 10, by striking the words "or
- 4 county".
- 5 2. Page 1, by striking lines 18 through 23 and
- 6 inserting in lieu thereof the following: "the Code
- 7 and the county tax levy. The county".

Amendment H-3296 was adopted.

Norland of Worth offered the following amendment H-3293, to amendment H-3285, filed by him from the floor and moved its adoption:

H-3293

- 1 Amend amendment H-3285, to page 3 of House
- 2 File 650 as follows:
- 3 1. Page 1, line 14, by striking the word
- 4 "twenty-" and inserting in lieu thereof the word
- 5 "fifty".
- 6 2. Page 1, line 15, by striking the word "five".
- 7 3. Page 1, line 18, by inserting after the word
- 8 "and" the words "one hundred percent of".
- 9 4. Page 1, line 20, by striking the word
- 10 "twenty-five" and inserting in lieu thereof the
- 11 word "fifty".

Amendment H-3293 was adopted.

West of Marshall rose on a point of order that amendment H-3285 was not germane.

The Speaker ruled the point well taken and amendment H-3285 not germane.

Avenson of Fayette moved that the rules be suspended to consider amendment H-3285, as amended.

Roll call was requested by Avenson of Fayette and Norland of Worth.

On the question "Shall the rules be suspended to consider amendment H-3285, as amended?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	De Groot	Diemer	Halvorson, R.A.
Hanson, D.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 13:

Bina	Crabb	Danker	Doyle
Egenes	Evans	Hansen, I.	Harbor
Hinkhouse	Husak	Miller	Patchett
Stromer			

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott for the remainder of the day on request of Walter of Pottawattamie.

Hall of Linn offered the following amendment H—3280 filed by him:

H—3280

1 Amend House File 650 as follows:

2 1. Page 1, by striking lines 21 through 35 and
 3 inserting in lieu thereof the following:
 4 "Sec. NEW SECTION. A city or county may
 5 only exercise the authority conferred upon it in this
 6 Act after the following conditions have been met:

7 1. The city council of a city has adopted an
 8 ordinance or the board of supervisors of a county
 9 has adopted a resolution finding that the proposed
 10 project is necessary in the interest of the public
 11 health, safety, or welfare of the residents of the
 12 city or county.

13 2. The city or county has prepared a plan for
 14 all industrial improvement within its jurisdiction.
 15 The proposed plan shall include all of the following:

16 a. A legal description of the location of the
 17 proposed project.

18 b. The existing assessed valuation of the real
 19 estate, listing the land and building values
 20 separately.

21 c. The existing zoning classifications and the
 22 existing and proposed land uses of the property upon
 23 which the project is located.

24 d. The provisions that have been made for the
 25 relocation of persons, including families, business
 26 concerns and others, whom the city anticipates will
 27 be displaced as a result of the project.

28 3. The city has filed a copy of the proposed plan
 29 for industrial improvement with the city development
 30 board by the fourteenth day before the scheduled
 31 public hearing.

32 4. The city or county has held a public hearing
 33 in accordance with section three hundred fifty-eight
 34 A point six (358A.6) of the Code in the case of a
 35 county, or section three hundred sixty-two point three
 36 (362.3), of the Code in case of a city.

37 5. A resolution enacted by a county board of
 38 supervisors shall not apply to industrial real estate
 39 located within the limits of incorporated cities in
 40 the county.

41 6. The ordinance or resolution shall designate
 42 the length of time the partial exemption shall be
 43 available and may provide for an exemption schedule
 44 in lieu of that provided in section two (2) of the
 45 Act. However, an alternative exemption schedule shall
 46 not provide for a larger tax exemption in a particular
 47 year than is provided for that year in the schedule
 48 contained in this Act."

49 2. Page 2, line 26, by inserting after the word
 50 "taxation." the following new sentence: "The city

Page 2

1 council of the city or the board of supervisors of
 2 a county shall approve the application if the project
 3 is in conformance with the plan adopted by the city
 4 or county under this Act."

5 3. Page 3, by inserting after line 19 the following
 6 new section:

7 "Sec. . Section three hundred sixty-eight point
 8 ten (368.10), unnumbered paragraph one (1), Code 1979,
 9 is amended to read as follows:

10 The board shall conduct studies of city urban
 11 industrial development, and shall submit an annual
 12 report to the governor and such members of the general
 13 assembly as request it. The report shall include
 14 an analysis of all industrial improvement within which
 15 has occurred as a result of this Act."

16 4. Renumber sections and correct internal
 17 references as are necessary in accordance with this
 18 amendment.

Hall of Linn offered the following amendment H-3298, to
 amendment H-3280, filed by him from the floor and moved its
 adoption:

H-3298

1 Amend amendment H-3280, to page 1 of House File
 2 650 as follows:

3 1. Page 1, line 4, by striking the words "or
 4 county".

5 2. Page 1, line 8, by striking the words "or
 6 the board of supervisors of a county".

7 3. Page 1, line 9, by striking the words "has
 8 adopted a resolution".

9 4. Page 1, line 12, by striking the words "or
 10 county".

11 5. Page 1, line 13, by striking the words "or
 12 county".

13 6. Page 1, line 32, by striking the words "or
 14 county".

15 7. Page 1, by striking lines 32 through 40 and
 16 inserting in lieu thereof the following:

17 "4. The city has held a public hearing in
 18 accordance with section three hundred sixty-two point
 19 three (362.3) of the Code."

20 8. Page 1, line 41, by striking the words "or
 21 resolution".

22 9. Page 2, line 1, by striking the words "or
 23 the board of supervisors of".

24 10. Page 2, line 2, by striking the words "a

25 county".
26 11. Page 2, line 4, by striking the words "or
27 county".

Amendment H—3298 was adopted.

Hall of Linn moved the adoption of amendment H—3280, as amended.

A non-record roll call was requested.

The ayes were 54, nays 31.

Amendment H—3280, as amended, was adopted.

HOUSE FILE 650 DEFERRED

Halvorson of Clayton asked and received unanimous consent that House File 650 be deferred and that the bill retain its place on the calendar.

Regular Calendar

House File 368, a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation, was taken up for consideration.

Pelton of Clinton offered amendment H—3275 filed by him. Division was requested as follows:

H—3275

1 Amend House File 368 as follows:

H—3275A

2 1. Page 1, line 3, by striking the word
3 "employed" and inserting in lieu thereof the word
4 "employed".
5 2. Page 1, line 4, by striking the words "by
6 directed by" and inserting in lieu thereof the word
7 "by".

H—3275B

8 3. Page 1, line 11, by striking the first word
9 "the" and inserting in lieu thereof the words "the
10 an".

Pelton of Clinton moved the adoption of amendment H—3275A.

A non-record roll call was requested.

The ayes were 46, nays 40.

Amendment H—3275A was adopted.

On motion by Pelton of Clinton, amendment H—3275B was adopted.

Ritsema 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. 368)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Diemer	Doyle	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellet	Perkins
Pope	Rapp	Ritsema	Schneklloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 4:

Hummel	Krewson	Pelton	Poffenberger
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Absent or not voting, 10:

Bina	Crabb	Dieleman	Egenes
Evans	Hansen, I.	Harbor	Husak
Patchett	Stromer		

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

INTRODUCTION OF BILLS

House File 657, by committee on appropriations, a bill for an act making a supplemental appropriation to the department of social services for aid to dependent children.

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

House File 658, by committee on commerce, a bill for an act to authorize real property loans secured by alternative mortgage instruments.

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

House File 659, by committee on education, a bill for an act relating to the salary of the administrator of an area education agency.

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

House File 660, by committee on education, a bill for an act relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establishing the state percent of growth, eliminating restrictions on use of additional enrichment moneys, correcting dates, and striking obsolete sections.

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

House File 661, by committee on judiciary and law enforcement, a bill for an act providing for limited guardianships under the Iowa probate code.

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

House File 662, by committee on ways and means, a bill for an act limiting the hotel and motel tax to a tax on sleeping accommodations and making corrective changes in the hotel and motel tax.

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

PRESENTATION OF VISITOR

Howell of Floyd presented to the House the Honorable Lyle M. Scheelhaase, former member of the House from Woodbury County.

MOTION TO RECONSIDER

(Senate File 70)

I move to reconsider the vote by which Senate File 70 passed the House on March 1, 1979.

JESSE of Polk

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday, March 2, 1979. Had I been present, I would have voted "aye" on House File 368.

DIELEMAN of Marion

I was necessarily absent from the House chamber on March 1, 1979. Had I been present, I would have voted "aye" on House Files 369, 451 and 455 and Senate File 70.

KIRKENSLAGER of Des Moines

I was necessarily absent from the House chamber on the afternoon of March 1, 1979, attending an Iowa Department of Transportation meeting in Ames with Davenport Mayor Charles Wright to discuss the environmental impact of the Northwest Davenport overpass. Had I been present, I would have voted "nay" on amendment H-3249 to Senate File 70; "aye" on amendment H-3220 to Senate File 70 and Senate File 70.

BINA of Scott

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of March, 1979: House File 60.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

SPONSOR ADDED
(House File 510)

Bina of Scott requested to be added as a sponsor of House File 510.

BINA of Scott

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 205 Natural Resources

Relating to public use of flowing surface water for navigation purposes.

S.B. 206 Education

Relating to the teaching of the origin of man and the origin of the earth.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 14

State Government: Hibbs, Chair; Anderson of Audubon and Lloyd-Jones.

House Joint Resolution 15

State Government: Swearingen, Chair; Shimanek and Lloyd-Jones.

House Joint Resolution 16

Appropriations: Crawford, Chair; Harbor and Byerly.

House Joint Resolution 17

State Government: Hansen of O'Brien, Chair; Branstad and Walter.

House Joint Resolution 18

State Government: Lura, Chair; Hinkhouse and Johnson of Woodbury.

House File 284

County Government: Branstad, Chair; Dieleman and Clark of Lee.

House File 299

Labor and Industrial Relations: Welden, Chair; Lorenzen and Byerly.

House File 302

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 303

Appropriations: Hansen of O'Brien, Chair; Harbor and Cusack.

House File 305

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 316

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 318

Commerce: Hibbs, Chair; Crabb and Rapp.

House File 325

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Conlon, Bennett, Connolly, Anderson of Jasper, Hall and Jochum.

House File 329

Commerce: Schroeder, Chair; Crabb and Chiodo.

House File 330

Labor and Industrial Relations: Menke, Chair; Welden and Horn.

House File 331

Transportation: Hinkhouse, Chair; McKean and Schnekloth.

House File 334

Labor and Industrial Relations: Holt, Chair; Tofte and Wells.

House File 342

Commerce: Pope, Chair; Schroeder and Jesse.

House File 345

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 346

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Hall, Brandt and Oxley.

House File 347

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 348

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 353

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 354

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 355

Commerce: Swearingen, Chair; Shull and Bruner.

House File 356

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 358

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 359

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 362

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 363

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 365

Labor and Industrial Relations: Holt, Chair; Thompson and Pavich.

House File 367

County Government: Tofte, Chair; Welsh and Johnson of Howard.

House File 370

Transportation: McKean, Chair; Hinkhouse and Schnekloth.

House File 371

Transportation: Schnekloth, Chair; McKean and Hinkhouse.

House File 373

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 378

Transportation: Bennett, Chair; Hullinger and Tofte.

House File 383

Ways and Means: West, Chair; Hanson of Delaware and Howell.

House File 384

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 393

Cities: Johnson of Linn, Chair; Bina, Brandt, Halvorson of Webster, Krewson, Larsen and Lorenzen.

House File 394

State Government: Stromer, Chair; Johnson of Woodbury and Woods.

House File 395

Commerce: Crabb, Chair; Chiodo and Schroeder.

House File 396

Commerce: Schroeder, Chair; Crabb and Dieleman.

House File 397

State Government: Anderson of Audubon, Chair; Lageschulte and Halvorson of Webster.

House File 398

Transportation: Pellett, Chair; Binneboese and Schroeder.

House File 403

Transportation: Kirkenslager, Chair; Gettings and Pellett.

House File 404

Cities: Danker, Chair; Diemer and O'Kane. (Bill withdrawn February 26, 1979)

House File 405

Commerce: Crabb, Chair; Evans and Bina.

House File 409

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 411

Labor and Industrial Relations: Holt, Chair; Thompson and Jochum.

House File 414

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 415

State Government: Johnson of Woodbury, Chair; Stromer and Dieleman.

House File 417

Transportation: Hinkhouse, Chair; McKean and Schnekloth.

House File 419

Cities: Pavich, Chair; Tyrrell and Groth.

House File 423

Commerce: Shull, Chair; Crabb and Chiodo.

House File 425

State Government: Johnson of Woodbury, Chair; Hoffmann and Woods.

House File 426

Commerce: Egenes, Chair; Bina and Johnson of Linn.

House File 427

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 428

State Government: Lura, Chair; Stromer and Brandt.

House File 429

Cities: Lind, Chair; Hall and Tyrrell.

House File 430

Labor and Industrial Relations: Menke, Chair; Lorenzen and Jochum.

House File 432

Cities: Johnson of Linn, Chair; Diemer and Connors.

House File 433

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 434

Commerce: Hibbs, Chair; Dieleman and Pope.

House File 435

Transportation: Schneklath, Chair; Egenes and Hinkhouse.

House File 436

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 438

State Government: Lura, Chair; Hoffmann and Woods.

House File 439

Commerce: Crabb, Chair; Dieleman and Egenes.

House File 441

Labor and Industrial Relations: Egenes, Chair; Kirkenlager and Gettings.

House File 447

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 448

Cities: Larsen, Chair; Connors and Krewson.

House File 449

Judiciary and Law Enforcement: Smalley, Chair; Lonergan and Pelton.

House File 458

Labor and Industrial Relations: Tofte, Chair; Welden and Byerly.

House File 459

State Government: Branstad, Chair; Hansen of O'Brien and Walter.

House File 460

Commerce: Shull, Chair; Crabb and Chiodo.

House File 463

State Government: Anderson of Audubon, Chair; Stromer and Halvorson of Webster.

House File 466

Commerce: Schroeder, Chair; Egenes and Jesse.

House File 467

Commerce: Ritsema, Chair; Shull and Woods.

House File 469

Labor and Industrial Relations: Conlon, Chair; Corey and Pavich.

House File 472

Commerce: Shull, Chair; Evans and Dieleman.

House File 473

Commerce: Shull, Chair; Evans and Dieleman.

House File 474

Commerce: Conlon, Chair; Bina and Johnson of Linn.

House File 475

Commerce: Conlon, Chair; Egenes and Jesse.

House File 477

County Government: Shull, Chair; Howell and Johnson of Linn.

House File 479

Commerce: Swearingen, Chair; Chiodo and Pope.

House File 480

Commerce: Swearingen, Chair; Chiodo and Pope.

House File 484

Commerce: Pope, Chair; Swearingen and Woods.

House File 485

State Government: Hansen of O'Brien, Chair; Hibbs and Brandt.

House File 487

State Government: Hansen of O'Brien, Chair; Anderson of Audubon and Dieleman.

House File 492

County Government: Swearingen, Chair; Connolly and Tofte.

House File 495

Labor and Industrial Relations: Conlon, Chair; Tofte and Wells.

House File 499

Cities: Crabb, Chair; Tyrrell and Connors.

House File 502

Energy: Smalley, Chair; Mullins and Perkins.

House File 503

State Government: Hoffmann, Chair; Anderson of Audubon and Bina.

House File 504

Commerce: Pope, Chair; Swearingen and Walter.

House File 506

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 507

Commerce: Crabb, Chair; Johnson of Linn and Bina.

House File 509

Commerce: Crabb, Chair; Johnson of Linn and Bina.

House File 510

Commerce: Crabb, Chair; Johnson of Linn and Bina.

House File 514

Transportation: Hoffmann, Chair; Binneboese and Kirkenslager.

House File 515

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 517

Judiciary and Law Enforcement: Clark of Cerro Gordo, Chair; Ritsema and Arnould.

House File 519

Commerce: Hibbs, Chair; Chiodo and Johnson of Linn.

House File 520

Transportation: Daggett, Chair; Bennett and Woods.

House File 522

State Government: Swearingen, Chair; Shimanek and Woods.

House File 523

County Government: Branstad, Chair; Bruner and Clark of Lee.

House File 525

Judiciary and Law Enforcement: Shimanek, Chair; Rapp and Johnson of Howard.

House File 527

Labor and Industrial Relations: Menke, Chair; Holt and Connors.

House File 528

Commerce: Shull, Chair; Swearingen and Walter.

House File 529

Commerce: Pope, Chair; Hibbs and Dieleman.

House File 531

Commerce: Evans, Chair; Hibbs and Jesse.

House File 532

Commerce: Crabb, Chair; Egenes and Jesse.

House File 537

Commerce: Conlon, Chair; Chiodo and Pelton.

House File 538

State Government: Shimanek, Chair; Johnson of Woodbury and Hinkhouse.

House File 539

Commerce: Conlon, Chair; Chiodo and Pelton.

House File 540

State Government: Hibbs, Chair; Branstad and Walter.

House File 541

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 543

Commerce: Conlon, Chair; Evans and Walter.

House File 545

Appropriations: Stromer, Chair; Crawford and Anderson of Jasper.

House File 548

State Government: Hansen of O'Brien, Chair; Lura and Bina.

House File 551

Commerce: Crabb, Chair; Egenes and Woods.

House File 554

Commerce: Crabb, Chair; Egenes and Woods.

House File 555

Labor and Industrial Relations: Pope, Chair; Holt, Menke, Connors and Wells.

House File 556

County Government: Johnson of Howard, Chair; Gettings and Smalley.

House File 559

State Government: Hoffmann, Chair; Hansen of O'Brien and Halvorson of Webster.

House File 561

Judiciary and Law Enforcement: Clark of Cerro Gordo, Chair; Jesse and Maulsby.

House File 563

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 564

State Government: Hansen of O'Brien, Chair; Hibbs and Brandt.

House File 566

Agriculture: Hummel, Chair; Hinkhouse and Van Maanen.

House File 567

Transportation: Schnekloth, Chair; Hinkhouse and Menke.

House File 568

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 570

County Government: Clark of Lee, Chair; Gettings and Johnson of Howard.

House File 571

State Government: Branstad, Chair; Johnson of Woodbury and Hinkhouse.

House File 572

Judiciary and Law Enforcement: Pelton, Chair; Walter and Ritsema.

House File 573

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 574

Judiciary and Law Enforcement: Pelton, Chair; Walter and Lloyd-Jones.

House File 575

Judiciary and Law Enforcement: Shimanek, Chair; Ritsema and Patchett.

House File 577

Commerce: Crabb, Chair; Bruner and Hibbs.

House File 578

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 579

Judiciary and Law Enforcement: Patchett, Chair; Clark of Cerro Gordo and Hibbs.

House File 580

Judiciary and Law Enforcement: Conlon, Chair; Jesse and Hibbs.

House File 581

Agriculture: Corey, Chair; Schroeder and Halvorson of Webster.

House File 582

Commerce: Crabb, Chair; Egenes and Jesse.

House File 583

Transportation: McKean, Chair; Oxley and Tofte.

House File 584

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 585

Agriculture: Crabb, Chair; Husak and De Groot.

House File 587

Agriculture: Hummel, Chair; Hinkhouse and Van Maanen.

House File 589

Commerce: Hibbs, Chair; Ritsema and Chiodo.

House File 592

Commerce: Crabb, Chair; Schroeder and Woods.

House File 594

Judiciary and Law Enforcement: Conlon, Chair; Jesse and Hibbs.

House File 595

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 596

Commerce: Pelton, Chair; Ritsema and Jochum.

House File 599

Judiciary and Law Enforcement: Holt, Chair; Lonergan and Welsh.

House File 603

Judiciary and Law Enforcement: Anderson of Audubon, Chair; Walter and Lonergan.

House File 605

State Government: Stromer, Chair; Branstad and Arnould.

House File 606

Commerce: Schroeder, Chair; Evans and Dieleman.

House File 608

Labor and Industrial Relations: Welden, Chair; Thompson and Pavich.

House File 609

Appropriations: Harbor, Chair; Evans and Miller.

House File 610

Human Resources: Cusack, Chair; Bennett, Kirkenslager, Miller and Daggett.

House File 611

Transportation: Pellett, Chair; Binneboese and McKean.

House File 612

Transportation: Bennett, Chair; Hullinger and Tofte.

House File 616

Agriculture: Crabb, Chair; Hinkhouse and Hummel.

House File 617

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

House File 624

Judiciary and Law Enforcement: Conlon, Chair; Jesse and Hibbs.

House File 626

State Government: Crawford, Chair; Hibbs; Arnould, Walter and Branstad.

House File 627

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

House File 629

State Government: Swearingen, Chair; Lageschulte and Bina.

House File 630

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 631

State Government: Lura, Chair; Hoffmann and Woods.

House File 633

State Government: Crawford, Chair; Hibbs, Arnould, Walter and Branstad.

House File 637

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

House File 638

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

House File 642

State Government: Crawford, Chair; Hansen of O'Brien, Stromer, Swearingen, Brandt, Bina and Hinkhouse.

Senate File 4

Judiciary and Law Enforcement: Hibbs, Chair; Patchett and Johnson of Howard.

Senate File 28

Judiciary and Law Enforcement: Shimanek, Chair; Rapp and Johnson of Howard.

Senate File 88

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

Senate File 98

County Government: Clark of Cerro Gordo, Chair; Oxley and Lageschulte.

Senate File 158

Commerce: Schroeder, Chair; Evans and Chiodo.

Senate File 160

County Government: Schnekloth, Chair; Hullinger and Tofte.

Senate File 176

Commerce: Ritsema, Chair; Shull and Woods.

Senate File 190

Judiciary and Law Enforcement: Conlon, Chair; Jesse and Hibbs.

Senate File 203

Transportation: Hoffmann, Chair; Tofte and Woods.

Senate File 204

Transportation: Kirkenlager, Chair; Schnekloth and Woods.

Senate File 205

State Government: Stromer, Chair; Shimanek and Lloyd-Jones.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 95**

Transportation: Egenes, Chair; Davitt, Jay, Lageschulte and McKean.

Study Bill 178

Commerce: Shull, Chair; Ritsema and Jochum.

Study Bill 179

Commerce: Schroeder, Chair; Evans and Bina.

Study Bill 181

Commerce: Hibbs, Chair; Crabb and Jesse.

Study Bill 187

Transportation: Egenes, Chair; Davitt, Jay, Lageschulte and McKean.

Study Bill 193

Judiciary and Law Enforcement: Holt, Chair; Lloyd-Jones and Ritsema.

Study Bill 198

Judiciary and Law Enforcement: Ritsema, Chair; Doyle and Lonergan.

Study Bill 201

Agriculture: Harbor, Chair; Davitt and Tyrrell.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 318, a bill for an act authorizing a corporation licensed under chapter five hundred thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems.

Recommended Do Pass.

Fiscal note is not required.

House File 395, a bill for an act relating to investments in obligations of the United States farm credit system by persons whose investments are restricted by the laws of this state.

Recommended Do Pass.

Fiscal note is not required.

House File 396, a bill for an act to authorize municipal support for the establishment of corporate headquarters of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements.

Recommended Amend and Do Pass.

H-3289

- 1 Amend House File 396 as follows:
- 2 1. Page 1, line 19, by striking the words ", or
- 3 of a corporate headquarters" and inserting in lieu
- 4 thereof the words ", or of a national, regional or
- 5 divisional headquarters facility".

- 6 2. Page 2, line 8, by striking the words "corporate
7 headquarters" and inserting in lieu thereof the words
8 "headquarters facilities".
9 3. Page 2, line 11, by striking the words
10 "corporate headquarters" and inserting in lieu thereof
11 the words "headquarters facilities".
12 4. Amend the title by striking line 2 and inserting
13 in lieu thereof the words "of national, regional or
14 divisional headquarters facilities of multistate
15 businesses in".

Fiscal note is not required.

COMMITTEE ON EDUCATION

Study Bill 131, relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establish eight percent as the state percent of growth, correcting dates, and striking obsolete sections.

Recommended **Amend and Do Pass**.

COMMITTEE ON NATURAL RESOURCES

Study Bill 139, relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H—3292	S.F. 81	Tofte of Winneshiek Halvorson of Clayton Avenson of Fayette Shimanek of Jones Hanson of Delaware
H—3294	H.F. 626	Cochran of Webster
H—3297	H.F. 498	Spear of Lee
H—3299	H.F. 647	Spear of Lee
H—3300	H.F. 646	Spear of Lee
H—3301	S.F. 81	Tofte of Winneshiek Halvorson of Clayton Avenson of Fayette Shimanek of Jones Hanson of Delaware
H—3302	H.F. 650	Bruner of Story

H-3303	H.F. 391	Davitt of Warren Cochran of Webster
H-3304	H.F. 304	Byerly of Polk Schroeder of Pottawattamie
H-3305	H.F. 498	Cochran of Webster
H-3306	S.F. 70	Jesse of Polk
H-3307	H.F. 650	Norland of Worth
H-3308	H.F. 498	Spear of Lee
H-3309	H.F. 573	Welsh of Dubuque
H-3310	H.F. 652	Miller of Buchanan
H-3311	H.F. 148	Perkins of Greene
H-3312	H.F. 452	Larsen of Wapello

On motion by Halvorson of Clayton the House adjourned at 1:42 p.m., until 10:00 a.m., Monday, March 5, 1979.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day—Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 5, 1979

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

Prayer was offered by the Reverend Harley Carbaugh, pastor of the Geneseo United Methodist Church, Buckingham, Iowa.

The Journal of Friday, March 2, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Woodbury for the morning session, on request of Schnekloth of Scott; Crabb of Crawford on request of Danker of Pottawattamie; Mullins of Kossuth on request of Hoffmann of Muscatine; Ritsema of Sioux on request of Shimanek of Jones; Holt of Clay on request of Hansen of O'Brien; Bennett of Ida for the morning session, on request of Dieleman of Marion; O'Kane of Woodbury on request of Davitt of Warren; Egenes of Story on request of Clark of Lee.

INTRODUCTION OF BILLS

House File 663, by committee on human resources, a bill for an act requiring a parent, guardian or custodian, if financially able, to pay in whole or in part for the employment of counsel for his or her child pursuant to child in need of assistance proceedings, provided that such payment will not impair the relationship between the child and his or her parent, guardian or custodian.

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

House File 664, by committee on natural resources, a bill for an act relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties.

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

SENATE MESSAGES CONSIDERED

Senate File 24, a bill for an act requiring each county auditor to report to the auditor of state the number of drainage or levee districts existing within the county.

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

Senate File 159, a bill for an act making statutory changes which affect the duties, responsibilities and procedures of county treasurers with regard to tax sales, collection of taxes and fees, tax levies, maintenance of records and disposition of county funds.

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

Senate File 172, a bill for an act relating to the retirement of teachers and administrators under the continuing contract law.

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

Senate File 264, a bill for an act relating to the administration and financing for elections by providing for the appointment and compensation of precinct election officials, the time when polling places are to be closed, the availability and delivery of absentee ballots to certain persons, and the establishment and administration of the income tax checkoff.

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

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker 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 on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 283, a bill for an act relating to the investment of cemetery perpetual care funds by cities.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 284, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 292, a bill for an act relating to notice of appraisement and results of appraisement for inheritance tax purposes.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 293, a bill for an act relating to the filing of requests and giving notice of claims against probated estates.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 284, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility or a voluntary nonprofit hospital.

Read first time and **passed on file**.

Senate File 292, a bill for an act relating to notice of appraisement and results of appraisement for inheritance tax purposes.

Read first time and **passed on file**.

Senate File 293, a bill for an act relating to the filing of requests and giving notice of claims against probated estates.

Read first time and **passed on file**.

HOUSE RESOLUTION 20

By Harbor and Wells

- 1 *Whereas*, The University of Iowa basketball team
- 2 is co-champion of the Big Ten Conference, and has won
- 3 the right to compete in the Mideast Regional NCAA
- 4 Tournament in Bloomington, Indiana; and
- 5 *Whereas*, The University of Iowa basketball team

6 has displayed the utmost in spirit, sportsmanship and
7 teamwork; and
8 *Whereas, All the State of Iowa is proud of the*
9 *University of Iowa basketball team and its accomplish-*
10 *ments in bringing further credit and acclaim to the*
11 *State of Iowa throughout the entire nation, Now Therefore*
12 *Be It Resolved By The House Of Representatives of*
13 *the Sixty-eighth General Assembly, First Regular Session,*
14 *that the members commend the University of Iowa and its*
15 *basketball team for its outstanding season; and*
16 *Be It Further Resolved, That the members of the*
17 *House of Representatives of the Sixty-eighth General*
18 *Assembly, First Regular Session, wish to extend their*
19 *full support and backing to the University of Iowa*
20 *basketball team in the NCAA Regional Tournament; and*
21 *Be It Further Resolved, That a copy of this Resolution*
22 *be sent to Coach Lute Olson and the University of Iowa*
23 *basketball team.*

Laid over under Rule 30.

MOTIONS TO RECONSIDER
(Amendment H—3288 to House File 650)

I move to reconsider the vote by which amendment H—3288 to House File 650 was adopted by the House on March 2, 1979.

KREWSON of Polk

I move to reconsider the vote by which amendment H—3288 to House File 650 was adopted by the House on March 2, 1979.

WEST of Marshall

(Amendment H—3286 to House File 650)

I move to reconsider the vote by which amendment H—3286 to House File 650 was adopted by the House on March 2, 1979.

KREWSON of Polk

(Amendment H—3295 to Amendment H—3288 to House File 650)

I move to reconsider the vote by which amendment H—3295 to amendment H—3288 to House File 650 was adopted by the House on March 2, 1979.

WEST of Marshall

(Amendment H—3280 to House File 650)

I move to reconsider the vote by which amendment H—3280 to House File 650 was adopted by the House on March 2, 1979.

WEST of Marshall

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on the afternoon of March 2, 1979, because of my teaching responsibilities at Palmer Junior College. Had I been present, I would have voted "aye" on the motion to suspend the rules to consider amendment H—3285, as amended, to House File 650, and House File 368.

BINA of Scott

I was necessarily absent from the House chamber on the afternoon of Wednesday, February 28, 1979, and all day Thursday and Friday, March 1 and 2, 1979, attending the National Human Resources Committee meetings of the National Council of State Legislatures. Had I been present, I would have voted "aye" on the following amendments and bills: H—3265 to HCR 13; HCR 13; H—3236 to Senate File 70; H—3254 to Senate File 70; H—3274 to amendment H—3252 to Senate File 70; Senate File 70; House File 337; H—3275A to House File 368; H—3275B to House File 368; House File 368; House File 369; House File 420; H—3258 to House File 421; H—3262 to House File 421; House File 421; House File 451; House File 455; H—3278A to House File 650; H—3278B to House File 650; H—3280 to House File 650; H—3281A to House File 650; H—3281B to House File 650; H—3288 to House File 650; H—3290 to H—3282 to House File 650; H—3291 to H—3279 to House File 650; H—3293 to H—3285 to House File 650; H—3296 to H—3285 to House File 650; H—3295 to H—3288 to House File 650; and H—3298 to H—3280 to House File 650. I would have voted "nay" on the following amendments and bills: H—3220 to Senate File 70; H—3249 to Senate File 70; H—3250 to Senate File 70; H—3276 to Senate File 70; H—3277 to Senate File 70; H—3259 to House File 337; H—3267 to House File 337; H—3279 to House File 650; and H—3286 to House File 650.

HANSEN of O'Brien

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 204 Judiciary and Law Enforcement

Making it a serious misdemeanor for a driver to willfully fail to stop his or her vehicle or otherwise elude or attempt to elude a pursuing police vehicle.

AMENDMENTS FILED

H-3313	H.F. 453	Chiodo of Polk
H-3314	H.F. 650	Miller of Buchanan
H-3315	H.F. 660	Schnekloth of Scott
		Lageschulte of Bremer
		Lorenzen of Scott
		Branstad of Winnebago
		Van Maanen of Mahaska
		Shull of Warren
		Oxley of Linn
H-3316	H.F. 650	Davitt of Warren
H-3317	H.F. 148	Davitt of Warren

On motion by Halvorson of Clayton the House adjourned at 12:49 p.m., until 9:00 a.m., Tuesday, March 6, 1979.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day—Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 6, 1979

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

Prayer was offered by the Reverend Bernard Saylor, pastor of the Trinity United Church of Christ, Hartley, Iowa.

The Journal of Monday, March 5, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ray Fitzsimmons, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Groth of Buena Vista on request of O'Kane of Woodbury.

PRESENTATION OF VISITORS

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

Sixty senior students from Nora Springs-Rock Falls Junior-Senior High School, Nora Springs, Iowa, accompanied by Mike Pope. By Howell of Floyd.

PETITIONS FILED

The following petitions were received and placed on file:

By Bina of Scott, from the Scott County Board of Supervisors endorsing a legislative proposal to annually reimburse each county for the cost of probation officers' salaries from funds appropriated to the Judicial Department.

By Brandt of Black Hawk, from one thousand and five constituents; Diemer of Black Hawk, from one thousand and five constituents and Lind of Black Hawk, from one thousand and five constituents, all favoring share drafts.

By Brandt of Black Hawk, from one hundred seven students of North Cedar Elementary School, Cedar Falls, Iowa, favoring the ladybug as the state insect.

INTRODUCTION OF BILL

House File 665, by committee on cities, a bill for an act relating to veterans' preference for public employment appointments.

Read first time and **placed on the 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 on February 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 211, a bill for an act authorizing a corporation licensed under chapter five hundred thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems.

FRANK J. STORK, Secretary

SENATE MESSAGE CONSIDERED

Senate File 283, a bill for an act relating to the investment of cemetery perpetual care funds by cities.

Read first time and **passed on file**.

REFERRED TO CITIES

(House File 452)

Halvorson of Clayton asked and received unanimous consent to refer **House File 452**, presently on the **regular calendar**, to the committee on cities.

On motion by Halvorson of Clayton the House was recessed until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 211, a bill for an act authorizing a corporation licensed under chapter five hundred thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems.

Read first time and **passed on file**.

ADOPTION OF HOUSE RESOLUTION 20

Harbor of Mills asked and received unanimous consent for the immediate consideration of House Resolution 20, extending congratulations to the University of Iowa basketball team, filed on March 5, 1979 and found on pages 774 and 775 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Welsh of Dubuque, for the remainder of the week, on request of Avenson of Fayette.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 632, a bill for an act relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the

limitation on the levying of a tax to aid in the payment of the bonds, was taken up for consideration.

Conlon of Muscatine offered the following amendment H—3263 filed by him and moved its adoption:

H—3263

- 1 Amend House File 632 as follows:
- 2 1. Page 3, by inserting after line 15 the
- 3 following:
- 4 "NEW PARAGRAPH. Bonds shall not be issued payable
- 5 as provided in this section unless the issuance of
- 6 the bonds has been authorized by an election, or the
- 7 bonds are issued prior to November 1, 1982 payable
- 8 from a hotel and motel tax which was authorized at
- 9 an election held prior to July 1, 1979."

Roll call was requested by Bina of Scott and Davitt of Warren.

On the question "Shall amendment H—3263 be adopted?"

The ayes were, 54:

Anderson, J.	Anderson, R.	Arnould	Bina
Binneboese	Branstad	Bruner	Byerly
Clark, B.J.	Cochran	Conlon	Corey
Crabb	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Doyle
Gettings	Hall	Halvorson, R.N.	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Johnson, J.	Kirkenslager
Larsen	Lind	Loneran	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Oxley	Pavich
Pellett	Pelton	Ritsema	Schroeder
Sherzan	Spear	Swearingen	Van Maanen
Walter	Welden		

The nays were, 40:

Avenson	Bennett	Brandt	Chiodo
Clark, J.H.	Connolly	Crawford	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhuse
Hoffmann	Jesse	Jochum	Johnson, R.
Krewson	Lageschulte	Lloyd-Jones	Patchett
Perkins	Poffenberger	Pope	Rapp
Schnekloth	Shimanek	Shull	Smalley

Stromer Wells	Thompson West	Tofte Woods	Tyrrell Mr. Speaker
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Absent or not voting, 6:

Connors O'Kane	Groth Welsh	Johnson, W.	Norland
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Amendment H—3263 was adopted.

Schroeder of Pottawattamie moved to reconsider the vote by which amendment H—3263 was adopted by the House on March 6, 1979.

Roll call was requested by Conlon of Muscatine and Lura of Marshall.

Rule 80 was invoked.

On the question "Shall the motion to reconsider amendment H—3263 prevail?"

The ayes were, 48:

Avenson	Bennett	Brandt	Chiodo
Clark, B.J.	Clark, J.H.	Connolly	Crabb
Crawford	Daggett	Danker	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Horn	Jesse	Jochum
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Lind	Lloyd-Jones	Mullins	Norland
Pellett	Perkins	Poffenberger	Pope
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Thompson	Tofte
Wells	West	Woods	Mr. Speaker

The nays were, 47:

Anderson, J.	Anderson, R.	Arnould	Bina
Binneboese	Branstad	Bruner	Byerly
Cochran	Conlon	Corey	Cusack
Davitt	De Groot	Dieleman	Doyle
Gettings	Hall	Halvorson, R.N.	Holt
Howell	Hullinger	Hummel	Husak
Jay	Johnson, J.	Kirkenslager	Larsen
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Oxley
Patchett	Pavich	Pelton	Rapp

Ritsema
Tyrrell

Sherzan
Van Maanen

Spear
Walter

Swearingen

Absent or not voting, 5:

Connors
Welsh

Groth

O'Kane

Welden

The motion prevailed and the House reconsidered amendment H—3263.

Conlon of Muscatine moved the adoption of amendment H—3263.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 49, nays 47.

Amendment H—3263 was adopted.

Thompson 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. 632)

The ayes were, 83:

Anderson, J.
Bina
Bruner
Clark, J.H.
Corey
Daggett
Dieleman
Evans
Hanson, D.
Hoffmann
Husak
Johnson, W.
Larsen
Lorenzen
Miller
Patchett
Pope

Anderson, R.
Binneboese
Byerly
Conlon
Crabb
Danker
Diemer
Hall
Harbor
Horn
Jesse
Kirkenslager
Lind
Lura
Mullins
Pellett
Rapp

Arnould
Brandt
Chiodo
Connolly
Crawford
Davitt
Doyle
Halvorson, R.A.
Hibbs
Howell
Jochum
Krewson
Lloyd-Jones
Maulsby
Norland
Perkins
Ritsema

Bennett
Branstad
Clark, B.J.
Connors
Cusack
De Groot
Egenes
Hansen, I.
Hinkhouse
Hummel
Johnson, R.
Lageschulte
Lonergan
McKean
Oxley
Poffenberger
Schnekloth

Schroeder	Sherzan	ShimaneK	Shull
Smalley	Spear	Swearingen	Thompson
Tyrrell	Van Maanen	Welden	Wells
West	Woods	Mr. Speaker	

The nays were, 13:

Avenson	Cochran	Gettings	Halvorson, R.N.
Holt	Hullinger	Jay	Johnson, J.
Menke	Pavich	Pelton	Tofte
Walter			

Absent or not voting, 4:

Groth	O'Kane	Stromer	Welsh
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 284 SUBSTITUTED FOR HOUSE FILE 652

Halvorson of Webster asked and received unanimous consent to substitute Senate File 284 for House File 652.

Regular Calendar

Senate File 284, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility or a voluntary nonprofit hospital, was taken up for consideration.

Halvorson of Clayton asked and received unanimous consent to suspend House Rule 36.8 during consideration of Senate File 284.

Miller of Buchanan offered the following amendment H-3320 filed by him from the floor:

H-3320

- 1 Amend Senate File 284 as follows:
- 2 1. Page 1, line 4, by inserting after the
- 3 word "facility" the word ", clinic".
- 4 2. Page 1, line 11, by inserting after the
- 5 word "facility" the word ", clinic".
- 6 3. Amend the title, line 4, by inserting after
- 7 the word "facility" the word ", clinic".

Krewson of Polk rose on a point of order that amendment H—3320 was not germane.

The Speaker ruled the point not well taken and amendment H—3320 germane.

On motion by Miller of Buchanan, amendment H—3320 was adopted.

Halvorson 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.

Under the provisions of Rule 81, Clark of Lee refrained from voting.

On the question "Shall the bill pass?" (S.F. 284)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lura
Maulsby	McKean	Menke	Miller
Mullins.	Norland	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrell
Van Maanen	Walter	Welden	Wells
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Clark, J.H.
Welsh

Groth

Lorenzen

O'Kane

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

IMMEDIATE MESSAGE (Senate File 284)

Halvorson of Webster asked and received unanimous consent to immediately message Senate File 284 to the Senate.

UNANIMOUS CONSENT TO VOTE

Pellett of Cass asked and received unanimous consent to be recorded as voting "aye" on Senate File 284, and the vote was so recorded.

HOUSE FILE 652 WITHDRAWN

Krewson of Polk asked and received unanimous consent to withdraw House File 652 from further consideration by the House.

House File 86, a bill for an act regarding publication of notice of the sale of public bonds, with report of committee recommending passage was taken up for consideration.

By unanimous consent the following amendment H—3328, filed by Krewson of Polk from the floor, was adopted:

H—3328

- 1 Amend House File 86 as follows:
- 2 1. Page 1, by striking lines 11 and 12.

Krewson 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. 86)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	Oxley
Pavich	Pellett	Pelton	Perkins
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Wells	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Groth	Lloyd-Jones	O'Kane	Patchett
Poffenberger	Welden	Welsh	

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

House File 94, a bill for an act permitting fees of attorneys appointed by the court to be determined by judicial officers other than part-time magistrates, with report of committee recommending passage was taken up for consideration.

Conlon of Muscatine offered the following amendment H-3264 filed by him:

H-3264

- 1 Amend House File 94 as follows:
- 2 1. Page 1, by striking lines 5 through 7 and

3 inserting in lieu thereof the following: "state
4 shall be is entitled to a reasonable compensation
5 which shall be the ordinary and customary charges
6 for like services in the community to be decided
7 in each case by a judge of".

Pope of Polk rose on a point of order that amendment H—3264 was not germane.

The Speaker ruled the point not well taken and amendment H—3264 germane.

Conlon of Muscatine moved the adoption of amendment H—3264.

A non-record roll call was requested.

The ayes were 64, nays 24.

Amendment H—3264 was adopted.

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. 94)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger

Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	West
Mr. Speaker			

The nays were, 2:

Brandt	Jesse
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Absent or not voting, 5:

Groth	Maulsby	Patchett	Welsh
Woods			

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

House File 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

Perkins of Greene offered the following amendment H-3311 filed by him:

H-3311

- 1 Amend House File 148 as follows:
- 2 1. Page 2, line 22, by striking the words "or
- 3 potential".
- 4 2. Page 2, by striking lines 23 through 29 and
- 5 inserting in lieu thereof the words "use other than
- 6 farming."

Halvorson of Clayton asked for unanimous consent to suspend Rule 2 to continue debate beyond 6:00 p.m.

Objection was raised.

Halvorson of Clayton moved to suspend Rule 2.

A non-record roll call was requested.

The ayes were 53, nays 37.

The motion prevailed and Rule 2 was suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dieleman of Marion on request of Howell of Floyd; Hullinger of Decatur on request of Pelton of Clinton; Jay of Appanoose on request of Wells of Linn, all for the remainder of the day.

Perkins of Greene moved the adoption of amendment H—3311.

A non-record roll call was requested.

The ayes were 29, nays 56.

Amendment H—3311 lost.

Tyrrell of Iowa offered the following amendment H—3246 filed by him:

H—3246

1 Amend House File 148 as follows:

2 1. Page 2, by striking line 30 and inserting in
3 lieu thereof the following:

4 "Sec. 5. NEW SECTION. DEVELOPMENT OF LAND ACQUIRED
5 FOR NONFARMING PURPOSES. Development of the
6 agricultural land which is not subject to the
7 restrictions of section four (4), subsections one
8 (1) and two (2), of this Act because the land or
9 interest in the land was acquired for an immediate
10 or potential use other than farming, shall commence
11 to convert the land to the purpose other than farming,
12 within five years after the acquisition of the
13 agricultural land or the acquisition of the interest
14 in the agricultural land.

15 Sec. 6. NEW SECTION. LAND ACQUIRED BY DEVISE
16 OR DESCENT."

17 2. Page 3, line 3, by striking the figure "6"
18 and inserting in lieu thereof the figure "7".

19 3. Page 3, by striking line 21 and inserting in
20 lieu thereof the following:

21 "Sec. 8. NEW SECTION. REPORTS. A nonresident
22 alien, foreign business or foreign government, or
23 an agent, trustee or fiduciary thereof, who acquires
24 agricultural land not subject to the restrictions
25 of section four (4) of this Act because the land was
26 acquired for an immediate or potential use other than
27 farming, shall file a report with the secretary of

28 state before March thirty-first of each year. The
 29 report shall be in the form and manner prescribed
 30 by the secretary and shall contain the following:
 31 1. The name of the owner of the agricultural land
 32 or owner of the interest in the agricultural land.
 33 2. If the owner of the agricultural land or
 34 interest in agricultural land is an agent, trustee
 35 or fiduciary of a nonresident alien, foreign business
 36 or foreign government, the name of any principal for
 37 whom that land or interest in that land was acquired
 38 as agent.
 39 3. The location and number of acres of the
 40 agricultural land by township and county.
 41 4. The date the agricultural land or interest
 42 in agricultural land was acquired.
 43 5. The immediate or potential use other than
 44 farming, for which the agricultural land or interest
 45 in agricultural land was acquired.
 46 6. The present use of the agricultural land.
 47 Sec. 9. NEW SECTION. ENFORCEMENT."
 48 4. Page 3, line 27; by inserting after the word
 49 "Act" the following words: "or has failed to timely
 50 report as required under section eight (8) of this

Page 2

1 Act".
 2 5. Page 4, line 5, by striking the figure "8"
 3 and inserting in lieu thereof the figure "10".
 4 6. Page 4, line 23, by striking the figure "9"
 5 and inserting in lieu thereof the figure "11".
 6 7. Page 4, by striking lines 25 and 26, and
 7 inserting in lieu thereof the following: "or an
 8 agent, trustee or other fiduciary thereof, who fails
 9 to timely file the registration as required by section
 10 seven (7) of this Act, or who fails to timely file
 11 a report required by section eight (8) of this Act
 12 shall, for each offense,".

Perkins of Greene offered the following amendment H—3325, to
 amendment H—3246, filed by him from the floor:

H—3325

1 Amend the amendment H—3246 to House File 148 as
 2 follows:
 3 1. Page 1, line 14, by inserting after the word
 4 "land." the following: "Notwithstanding section four
 5 hundred twenty-two point seven (422.7) of the Code, if
 6 this land is sold or transferred within five years
 7 after its acquisition but prior to the commencement of

- 8 converting the land to the purpose other than farming,
 9 the amount of capital gain realized on the sale or
 10 transfer shall be to the extent the gain was excluded
 11 from the computation of the taxpayer's adjusted gross
 12 income under the Internal Revenue Code of 1954."

Conlon of Muscatine rose on a point of order that amendment H-3325 was not germane.

The Speaker ruled the point well taken and amendment H-3325 not germane.

Perkins of Greene moved that the rules be suspended for the consideration of amendment H-3325.

Roll call was requested by Perkins of Greene and Norland of Worth.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-3325?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Doyle	Gettings
Hah	Halvorson, R.N.	Hinkhouse	Horn
Howell	Husak	Jesse	Jochum
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells			

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnsbn, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	McKean	Mullins
Pellett	Pelton	Poffenberger	Pope

Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 12:

Crawford	Daggett	Dieleman	Egenes
Groth	Hullinger	Jay	Maulsby
Menke	Patchett	Welsh	Woods

The motion lost.

Halvorson of Clayton asked and received unanimous consent that House File 148 be deferred and that the bill retain its place on the weekly debate calendar.

(Amendment H — 3246 pending.)

MOTION TO RECONSIDER
(House File 632)

I move to reconsider the vote by which House File 632 passed the House on March 6, 1979.

SMALLEY of Polk

UNANIMOUS CONSENT CALENDAR
(House Resolution 15)

We hereby respectfully request that House Resolution 15, filed on February 22, 1979 and found on page 638 of the House Journal, be placed on the unanimous consent calendar.

HUSAK of Tama
HARBOR of Mills
CRABB of Crawford

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 6, 1979, he approved and transmitted to the Secretary of State the following bill:

House File 60, an act relating to the responsibility of area education agencies to provide for improvement of instruction in public schools.

COMMUNICATION FROM THE IOWA
DEPARTMENT OF PUBLIC INSTRUCTION

There is on file in the office of the Chief Clerk, a report from the Iowa Department of Public Instruction regarding the Mississippi Bend Area Education Agency 9, pursuant to Chapter 281.9 (6), Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 207 Judiciary and Law Enforcement

Authorizing the Supreme Court to establish salary guidelines for juvenile probation officers.

S.B. 208 Judiciary and Law Enforcement

Making it a fraudulent practice to knowingly transfer or assign a property interest with the intent to obtain public assistance for which a person is not eligible and providing penalties.

S.B. 209 Judiciary and Law Enforcement

To establish minimum jail standards.

S.B. 210 Natural Resources

Relating to the control, abatement and prevention of air pollution by the department of environmental quality.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

House File 460, a bill for an act to authorize life insurance companies and associations under chapter five hundred eleven (511) of the Code to invest in fixed interest-bearing obligations of certain financial companies and obligations of foreign governments, subject to certain limitations.

Recommended Amend and Do Pass.

H-3318

- 1 Amend House File 460 as follows:
 2 1. Page 2, line 6, by striking the words "for
 3 investment".
 4 2. Page 2, by striking lines 8 through 14 and
 5 inserting in lieu thereof the following:
 6 "Eligible investments in foreign obligations under
 7 this subsection are limited to the types of obligations
 8 specifically referred to in this subsection. This
 9 subsection in no way limits or restricts investments
 10 in Canadian obligations and securities specifically
 11 authorized in other subsections of this section."

Fiscal note is not required.

COMMITTEE ON ENERGY**Study Bill 62**, relating to the mining of coal.**Recommended Amend and Do Pass.**

Fiscal note is not required.

Study Bill 171, requiring a life cycle cost analysis for certain government construction projects.**Recommended Amend and Do Pass.**

Fiscal note is required.

COMMITTEE ON WAYS AND MEANS**Study Bill 75**, to repeal the requirement that assessors file an annual agricultural land valuation report with the department of revenue.**Recommended Amend and Do Pass.****Study Bill 76**, relating to the tax on the services of parking and of test laboratories.**Recommended Amend and Do Pass.****AMENDMENTS FILED**

H-3319

H.F. 650

Spear of Lee

H-3321

H.F. 650

Bruner of Story

H—3322	S.F. 81	Tofte of Winneshiek
Halvorson of Clayton		Avenson of Fayette
Hanson of Delaware		Shimanek of Jones
Johnson of Howard		
H—3323	H.F. 653	Lind of Black Hawk
H—3324	H.F. 660	Norland of Worth
H—3326	H.F. 660	Stromer of Hancock
Thompson of Polk		Horn of Linn
Norland of Worth		Menke of O'Brien
Diemer of Black Hawk		Hansen of O'Brien
Daggett of Taylor		
H—3327	H.F. 173	Lorenzen of Scott
		Schnekloth of Scott
H—3329	H.F. 660	Horn of Linn
Hibbs of Johnson		Avenson of Fayette
Spear of Lee		Anderson of Jasper
Jochum of Dubuque		Bruner of Story
Norland of Worth		O'Kane of Woodbury
Brandt of Black Hawk		Doyle of Woodbury
Miller of Buchanan		Arnould of Scott
Woods of Polk		Lonergan of Boone
Dieleman of Marion		Lloyd-Jones of Johnson
Hall of Linn		Hinkhouse of Cedar
Wells of Linn		Howell of Floyd
Connolly of Dubuque		Jay of Appanoose
Davitt of Warren		Jesse of Polk
Bina of Scott		Hullinger of Decatur
Gettings of Wapello		Pavich of Pottawattamie
Husak of Tama		Cochran of Webster
Rapp of Black Hawk		Patchett of Johnson
H—3330	H.F. 660	Norland of Worth
Anderson of Jasper		Davitt of Warren
Spear of Lee		Hall of Linn
Bruner of Story		Cusack of Scott
Dieleman of Marion		Cochran of Webster
Hullinger of Decatur		Doyle of Woodbury
Hibbs of Johnson		Howell of Floyd
Brandt of Black Hawk		Jesse of Polk
Hinkhouse of Cedar		Lonergan of Boone
Oxley of Linn		Binneboese of Plymouth
Connolly of Dubuque		Miller of Buchanan
Byerly of Polk		Woods of Polk
Chiodo of Polk		Wells of Linn

Husak of Tama
 Jochum of Dubuque
 Rapp of Black Hawk
 Horn of Linn
 Sherzan of Polk
 Gettings of Wapello
 Perkins of Greene

H—3331 H.F. 660

Jochum of Dubuque
 Anderson of Jasper
 Arnould of Scott
 Dieleman of Marion
 Hall of Linn
 Miller of Buchanan
 Bina of Scott
 Horn of Linn
 Avenson of Fayette
 Wells of Linn
 Hinkhouse of Cedar
 Oxley of Linn
 Gettings of Wapello
 Halvorson of Webster

H—3332 H.F. 660

Lorenzen of Scott
 Branstad of Winnebago
 Shull of Warren
 Hall of Linn

H—3333 H.F. 173

H—3334 H.F. 660

H—3335 H.F. 660

H—3336 H.F. 660

Bina of Scott
 Jay of Appanoose
 Anderson of Jasper
 Connolly of Dubuque

Patchett of Johnson
 Arnould of Scott
 Lloyd-Jones of Johnson
 Halvorson of Webster
 Bina of Scott
 Walter of Pottawattamie

Jay of Appanoose
 Bruner of Story
 Jesse of Polk
 Woods of Polk
 Lloyd-Jones of Johnson
 Doyle of Woodbury
 Pavich of Pottawattamie
 Patchett of Johnson
 Norland of Worth
 Connolly of Dubuque
 Howell of Floyd
 Spear of Lee
 Davitt of Warren
 Hullinger of Decatur

Schnekloth of Scott
 Lageschulte of Bremer
 Van Maanen of Mahaska
 Oxley of Linn

Brandt of Black Hawk
 Husak of Tama
 Anderson of Jasper
 Patchett of Johnson
 Horn of Linn
 Avenson of Fayette
 Norland of Worth
 Walter of Pottawattamie

On motion by Halvorson of Clayton the House adjourned at 6:30 p.m., until 9:00 a.m., Wednesday, March 7, 1979.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day — Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 7, 1979

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

Prayer was offered by the Reverend Roy Miltner, assistant to the president of the Iowa Synod—Lutheran Church in America, Des Moines, Iowa.

The Journal of Tuesday, March 6, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Joe Veverka, Prairie City, 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 on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 121, a bill for an act relating to the hunting of crows.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 183, a bill for an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 269, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 280, a bill for an act to provide a uniform definition of a farm-to-market road system.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 282, a bill for an act to amend city finance laws relating to the establishment of trust and agency funds, the establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 294, a bill for an act to provide uniform procedures for certifying questions of law.

Also: That the Senate has on March 5, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 299, a bill for an act to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements.

Also: That the Senate has on March 5, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 12, providing for a joint memorial session to be held on March 20, 1979, at 7:30 p.m.

FRANK J. STORK, Secretary

MEMORIAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following members to serve on the memorial committee in accordance with House Concurrent Resolution 12: The Honorable Kenneth De Groot, Chair; the Honorable Reid Crawford, the Honorable W.W. (Bill) Dieleman, and the Honorable Jean Lloyd-Jones.

On motion by Halvorson of Clayton the House was recessed at 9:13 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

Harbor of Mills presented to the House the Honorable Jim O. Henry, former member of the House and Senate representing Potawattamie County.

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

Nine students from South Tama High School, Tama, Iowa, accompanied by Jim Tekippe. By Husak of Tama.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millén in the chair.

QUORUM CALL

Roll call was requested by Conlon of Muscatine and Miller of Buchanan to determine that a quorum was present.

Present, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Weiden	Wells
West	Woods	Mr. Speaker	

Absent, 5:

Bina
Welsh

Danker

Hummel

Mullins

HOUSE FILE 650 DEFERRED

Halvorson of Clayton asked and received unanimous consent that action on House File 650 be deferred and that the bill retain its place on the weekly debate calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott for the remainder of the day and March 8, on request of Walter of Pottawattamie.

CONSIDERATION OF BILLS Regular Calendar

House File 660, a bill for an act relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establishing the state percent of growth, eliminating restrictions on use of additional enrichment moneys, correcting dates, and striking obsolete sections, was taken up for consideration.

Stromer of Hancock offered the following amendment H-3326 filed by Stromer, et al.:

H-3326

- 1 Amend House File 660 as follows:
- 2 1. Page 1, by inserting before line 1 the following
- 3 section:
- 4 "Section 1. Section four hundred forty-two point
- 5 four (442.4), subsection one (1), unnumbered paragraphs
- 6 four (4) and five (5), Code 1979, are amended to read
- 7 as follows:
- 8 Pupils attending a university laboratory school
- 9 are not counted in any district's basic or actual
- 10 enrollment, but the laboratory school shall report
- 11 them directly to the department of public instruction.
- 12 A school district shall certify its basic enrollment
- 13 to the state department of public instruction by

14 September 25 twenty-fifth of each year, and the
 15 department shall promptly forward the information
 16 to the state comptroller. For purposes of determining
 17 whether a district is entitled to an advance for
 18 increasing enrollment, and for record-keeping purposes,
 19 a determination of actual enrollment shall be made
 20 on the second Friday of September in the budget year
 21 and the second Friday of January in the base year,
 22 in the same manner as the September basic enrollment
 23 is determined. Actual enrollment is obtained by
 24 counting on the second Friday of September in the
 25 budget year resident pupils enrolled in the district,
 26 resident pupils for which tuition is paid by the
 27 district who are enrolled in another district, another
 28 state or an Iowa area school, and shared-time and
 29 part-time pupils."

30 2. Page 1, line 7, by striking the word "largest"
 31 and inserting in lieu thereof the word "larger".

32 3. Page 1, line 8, by striking the words "year
 33 prior to the".

34 4. Page 1, line 10, by striking the word "base"
 35 and inserting in lieu thereof the word "budget".

36 5. Page 1, by striking line 11 and inserting in
 37 lieu thereof the following:

38 "If a school district uses subparagraph two (2)
 39 of this paragraph for its adjusted enrollment and
 40 the district's actual enrollment for the budget year
 41 is larger than the adjusted enrollment computed under
 42 subparagraph two (2) of this paragraph, the district
 43 may be eligible to receive an advance for increasing
 44 enrollment under section four hundred forty-two point
 45 twenty-eight (442.28) of the Code."

46 6. Page 1, line 19, by striking the words and
 47 figures "on September 8, 1978" and inserting in lieu
 48 thereof the words and figures "for the school year
 49 beginning July 1, 1979".

50 7. Page 2, line 6, by striking the words "a three

Page 2

1 percent".

2 8. Page 2, by striking line 7 and inserting in
 3 lieu thereof the words "the one hundred three percent
 4 for the budget year."

5 9. Page 2, line 25, by inserting after the word
 6 "of" the word "the".

7 10. Page 3, line 5, by striking the figure "1979"
 8 and inserting in lieu thereof the figures "1979 1980".

9 11. Page 4, by inserting after line 22 the
 10 following sections:

11 "Sec. . Section four hundred forty-two point

12 twenty-six (442.26), unnumbered paragraph two (2),
13 Code 1979, is amended to read as follows: -

14 All state aids paid under this chapter unless
15 otherwise stated, shall be paid in installments due
16 on or about September 15 fifteenth, December 15
17 fifteenth, March 15 fifteenth, and May 15 fifteenth
18 of each year, and the installments shall be as nearly
19 equal as possible as determined by the state
20 comptroller, taking into consideration the relative
21 budget and cash position of the state resources.
22 However, the state aids paid to school districts under
23 section four hundred forty-two point twenty-eight
24 (442.28) of the Code shall be paid in installments
25 due on or about December fifteenth, March fifteenth,
26 and May fifteenth of each year.

27 Sec. . Section four hundred forty-two point
28 twenty-eight (442.28), unnumbered paragraph one (1),
29 Code 1979, is amended to read as follows: .

30 Notwithstanding the definition of weighted
31 enrollment in section four hundred forty-two point
32 four (442.4) of the Code, each school district shall
33 determine a special weighted enrollment using the
34 actual enrollment for the budget year in lieu of the
35 basic enrollment for the budget year and applying
36 the special education weighting plan in section two
37 hundred eighty-one point nine (281.9) of the Code
38 for the budget year. If a district's weighted
39 enrollment on the second Friday of September in the
40 budget year, determined in the same manner as the
41 September weighted enrollment is determined under
42 section 442.4, the special weighted enrollment is
43 higher than its the district's weighted enrollment
44 on the second Friday of September in the base budget
45 year determined under section four hundred forty-
46 two point four (442.4) of the Code, the district is
47 entitled to an advance from the state of an amount
48 equal to its district cost per pupil less the amount
49 per pupil for special education support services,
50 media services and other services computed as a part

Page 3

1 of district cost under the provisions of section 442.7
2 and section 442.27 for the budget year multiplied
3 by its increase in weighted enrollment. The advance
4 shall be miscellaneous income."

5 12. Page 4, by inserting after line 24 the
6 following section:

7 "Sec. . This Act is effective July 1, 1979
8 for the school year beginning July 1, 1980. This
9 Act shall not affect the computation and payment of

- 10 state aid and levying of property taxes under the
 11 state school foundation program for the school year
 12 beginning July 1, 1979."
 13 13. By numbering and renumbering sections as
 14 necessary.

Jay of Appanoose offered amendment H—3331, to amendment H—3326, filed by Jay, et al.. Division was requested as follows:

H—3331

- 1 Amend H—3326, filed by Stromer of Hancock, to
 2 House File 660, as follows:

H—3331A

- 3 1. Page 1, line 49, by inserting after the figure
 4 "1979" the words and figures "or for the school year
 5 beginning July 1, 1978, whichever is greater".

H—3331B

- 6 2. Page 2, line 35, by striking the word "basic"
 7 and inserting in lieu thereof the word "budget".

Jay of Appanoose moved the adoption of amendment H—3331A, to amendment H—3326.

Roll call was requested by Groth of Buena Vista and Jay of Appanoose.

On the question "Shall amendment H—3331A, to amendment H—3326, be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Kirkenslager	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hoffmann	Holt
Hummel	Johnson, R.	Johnson, W.	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritséma	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 4:

Bina	Chiodo	Krewson	Welsh
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Amendment H—3331A lost.

Byerly of Polk offered the following amendment H—3345, to amendment H—3326, filed by Byerly, Schroeder and Davitt from the floor and moved its adoption:

H—3345

1 Amend the Stromer amendment, H—3326, to House File
 2 660 as follows:
 3 1. Page 2, line 12, by striking the word
 4 "paragraph" and inserting in lieu thereof the words
 5 and figure "paragraphs one (1) and".
 6 2. Page 2, line 13, by striking the word "is"
 7 and inserting in lieu thereof the word "are".
 8 3. Page 2, by inserting after line 13 the
 9 following:
 10 "There is hereby appropriated each year from the
 11 general fund of the state an amount necessary to pay
 12 the state school foundation aid and the state dropout
 13 incentive aid."
 14 4. Page 2, line 26, by inserting after the word
 15 "year," the following: "State dropout incentive aid
 16 shall be paid on or about December fifteenth of each
 17 year."
 18 5. Page 3, by inserting after line 4 the following:
 19 "Sec. Chapter four hundred forty-two (442),
 20 Code 1979, is amended by adding the following new
 21 section:
 22 NEW SECTION. DROPOUT INCENTIVE. Commencing with
 23 the school year beginning July 1, 1980, and all

24 subsequent school years, an eligible school district
 25 shall receive state dropout incentive aid as provided
 26 in this section. A school district shall be eligible
 27 for state dropout incentive aid for a budget year
 28 if the district's dropout rate for the base year is
 29 lower than the district's base dropout rate. A
 30 district's dropout rate for the base year is the
 31 number of students in the school district who were
 32 enrolled on the second Friday of September during
 33 the base year and who withdrew their enrollment before
 34 the completion of the base school year or before
 35 graduation provided the withdrawal was for reasons
 36 other than death or transfer to any other public or
 37 nonpublic school and provided the student did not
 38 subsequent to withdrawal reenroll in the school
 39 district, divided by the basic enrollment for the
 40 budget year. A district's base dropout rate is the
 41 number of students in the school district who were
 42 enrolled on either the second Friday of September
 43 in the school year prior to the base year or the
 44 school year two years prior to the base year and who
 45 withdrew their enrollment before the completion of
 46 the school year prior to the base year provided the
 47 withdrawal was for reasons other than death or transfer
 48 to any other public or nonpublic school and provided
 49 the student did not subsequent to withdrawal reenroll
 50 in the school district, divided by the sum of the

Page 2

1 basic enrollment for the base year and the basic
 2 enrollment for the year prior to the base year. The
 3 district's state dropout incentive aid is two times
 4 the state cost per pupil in the budget year times
 5 the district's actual enrollment in the budget year
 6 times the amount the district's dropout rate for the
 7 base year exceeds the district's base dropout rate.
 8 However, in order for a district to qualify for state
 9 dropout incentive aid the district's actual enrollment
 10 in the budget year times the amount the district's
 11 dropout rate for the base year exceeds the district's
 12 base dropout rate must be at least one. The state
 13 dropout incentive aid shall be paid from funds
 14 appropriated and in accordance with section four
 15 hundred forty-two point twenty-six (442.26) of the
 16 Code. State dropout incentive aid is miscellaneous
 17 income."

Roll call was requested by Horn of Linn and Woods of Polk.

On the question "Shall amendment H-3345, to amendment H-3326, be adopted?"

The ayes were, 41:

Anderson, J.	Anderson, R.	Arnould	Avenson
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 55:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenlager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 4:

Bina	Chiodo	Connors	Welsh
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Amendment H-3345 lost.

Groth of Buena Vista offered the following amendment H-3348, to amendment H-3326, filed by him from the floor and asked and received unanimous consent to withdraw amendment H-3348:

H-3348

- 1 Amend the amendment, H-3326, to House File 660
- 2 as follows:
- 3 1. Page 2, by striking lines 30 through 35 and
- 4 inserting in lieu thereof the following: "Notwithstanding

5 the calculation of weighted enrollment in section four
6 hundred forty-two point four (442.4) of the Code, each
7 school district shall determine a special weighted
8 enrollment using the actual enrollment for the budget
9 year in lieu of the budget enrollment for the budget year
10 and applying”.

Schnekloth of Scott offered the following amendment H—3341, to amendment H—3326, filed by him and Lorenzen of Scott from the floor and moved its adoption:

H—3341

1 Amend amendment H—3326, to House File 660, as
2 follows:
3 1. Page 2, by striking lines 33 through 35 and
4 inserting in lieu thereof the following: “calculate
5 a special weighted enrollment using the actual
6 enrollment for the budget year instead of the budget
7 enrollment for the budget year and applying”.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 55, nays 41.

Amendment H—3341 was adopted placing out of order the following amendments to amendment H—3326: Amendment H—3331B and amendment H—3332 filed by Schnekloth, et al., on March 6, 1979.

Stromer of Hancock moved the adoption of amendment H—3326, as amended.

A non-record roll call was requested.

The ayes were 85, nays 7.

Amendment H—3326, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for the remainder of the day on request of Halvorson of Clayton.

Anderson of Jasper offered the following amendment H—3335 filed by him and moved its adoption:

H—3335

- 1 Amend House File 660 as follows:
- 2 1. Page 1, by inserting before line 1 the following:
- 3 "It is the intent of the General Assembly to
- 4 continue Iowa's commitment to shift the burden of
- 5 funding public elementary and secondary education in
- 6 Iowa from property taxes to state aid. It is the
- 7 intent of the General Assembly that, for the school
- 8 year beginning July 1, 1980 and subsequent school
- 9 years, the total of all state aids available to the
- 10 school districts under chapter 442, Code 1979, shall
- 11 be not less than fifty (50) percent of the total
- 12 district costs of all school districts in the state."

Roll call was requested by Anderson of Jasper and Howell of Floyd.

On the question "Shall amendment H—3335 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema

Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Bina	Egenes	Lind	Miller
Welsh			

Amendment H—3335 lost.

Patchett of Johnson asked and received unanimous consent to temporarily defer action on amendment H—3336.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3315, to page 1, filed by Schnekloth, et al., on March 5, 1979.

Husak of Tama offered the following amendment H—3334 filed by him and moved its adoption:

H—3334

- 1 Amend House File 660 as follows:
- 2 1. Page 1, line 32, by striking the word "three"
- 3 and inserting in lieu thereof the word "four".
- 4 2. Page 2, line 6, by striking the word "three"
- 5 and inserting in lieu thereof the word "four".

Roll call was requested by Husak of Tama and Horn of Linn.

Rule 80 was invoked.

On the question "Shall amendment H—3334 be adopted?"

The ayes were, 46:

Anderson, J.	Anderson, R.	Arnould	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Lonergan	Maulsby
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Perkins

Rapp
Wells

Sherzan
Woods

Spear

Walter

The nays were, 50:

Avenson	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	McKean	Menke
Mullins	Pelton	Poffenberger	Pope
Ritsema	Schneklöth	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 4:

Bina

Lind

Schroeder

Welsh

Amendment H—3334 lost.

Norland of Worth asked and received unanimous consent to defer action on amendment H—3324 until consideration of amendment H—3330.

Horn of Linn offered the following amendment H—3329 filed by Horn, et al., and moved its adoption:

H—3329

- 1 Amend House File 660 as follows:
- 2 1. Page 2, by striking lines 29 through 35.
- 3 2. Page 3, by striking line 1.
- 4 3. By renumbering sections as necessary.

Roll call was requested by Horn of Linn and Woods of Polk.

On the question "Shall amendment H—3329 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth

Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Spear	Walter	Wells	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte.	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 8:

Bina	Davitt	Egenes	Husak
Krewson	Lind	Sherzan	Welsh

Amendment H—3329 lost.

(House File 660 pending at adjournment.)

MOTION TO RECONSIDER AMENDMENT (Amendment H—3334 to House File 660)

I move to reconsider the vote by which amendment H—3334 to House File 660 failed to be adopted by the House on March 7, 1979.

AVENSON of Fayette

APPOINTMENT TO STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD

Speaker Millen announced the appointment of Representative Richard W. Welden of Hardin County to the State Functional Classification Review Board.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 7th day of March, 1979: House Files 53 and 108.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

SPONSORS ADDED

(Amendment H-3331 to House File 660)

Groth of Buena Vista requested to be added as a sponsor of amendment H-3331, to amendment H-3326, to House File 660.

(Amendment H-3331 to House File 660)

Byerly of Polk requested to be added as a sponsor of amendment H-3331 to House File 660.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, March 6, 1979. Had I been present, I would have voted "aye" on the question "Shall the rules be suspended to consider amendment H-3325?" on House File 148.

DIELEMAN of Marion

STUDY BILL COMMITTEE ASSIGNMENT**S.B. 211 Commerce**

Setting a time limit on the current prohibition of charges by telephone companies for telephone directory assistance and requiring the commerce commission to study the matter.

REPORT OF COMMITTEE MEETING.

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 8:00 a.m., March 6, 1979.

Convened: 8:10 a.m.

Adjourned: 9:00 a.m.

Present: Shimanek, chair; Arnould, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Johnson of Howard, Lloyd-Jones, Maulsby and Pelton.

Absent: Patchett, ranking member; Anderson of Audubon (arrived at 8:30 a.m.), Doyle, Jesse, Lonergan, Rapp and Smalley.

Excused: Ritsema, vice chair; Walter and Welsh.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House Joint Resolution 16, a joint resolution to create a special study committee on county statutes and to make an appropriation.

Recommended **Do Pass**.

COMMITTEE ON CITIES

Study Bill 107, relating to a requirement for municipal improvement districts.

Recommended **Amend and Do Pass**.

Study Bill 113, to amend city finance laws relating to the establishment of trust and agency funds, the establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids.

Recommended Amend and Do Pass.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 387, a bill for an act providing for the suspension of a person's authority to operate a motor vehicle pursuant to an order of the district court rendered after the person fails to appear in response to a citation which charges an offense involving the operation of a motor vehicle or fails to satisfy a subsequent judgment ordering payment of a fine.

Recommended Do Pass.

Fiscal note is not required.

Study Bill 64A, to change the interest rate on money due on judgments and decrees.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON TRANSPORTATION

Senate File 163, a bill for an act relating to regulated carriers by providing temporary operating authority for regulated carriers, by establishing uniform regulatory controls for certain commercial carriers, and by requiring interstate carriers exempt from interstate commerce commission regulations to register in this state and instituting an insurance requirement for exempt carriers.

Recommended Do Pass.

Senate File 164, a bill for an act relating to the movement of vehicles of excessive size by permit subject to penalties provided by law.

Recommended Do Pass.

Senate File 203, a bill for an act relating to the duties of the state department of transportation by designating the department as the agent to receive and disburse federal funds allocated to the state and its political subdivisions for transportation purposes by providing for use of funds deposited in the state aviation fund, and by providing for notice where the department refuses to issue a certificate of registration or special certificate for aircraft.

Recommended Amend and Do Pass.

H-3337

- 1 Amend Senate File 203, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 24, by inserting after the
- 4 word "airport" the words "engineering studies,".

AMENDMENTS FILED

H-3338	H.F. 148	Perkins of Greene Evans of Grundy Tyrrell of Iowa
H-3339	H.F. 665	Spèar of Lee
H-3342	H.F. 660	Patchett of Johnson
H-3343	H.F. 654	Lageschulte of Bremer Egenes of Story
H-3344	H.F. 660	Patchett of Johnson
H-3346	H.F. 148	Evans of Grundy Perkins of Greene Pellett of Cass Husak of Tama Tyrrell of Iowa
H-3347	H.F. 148	Evans of Grundy Perkins of Greene Pellett of Cass Husak of Tama Tyrrell of Iowa
H-3349	H.F. 148	Byerly of Polk
H-3350	H.F. 660	Patchett of Johnson

On motion by Halvorson of Clayton the House adjourned at 5:57 p.m., until 9:00 a.m., Thursday, March 8, 1979.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day — Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 8, 1979

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

Prayer was offered by the Reverend Scott Grotewald, pastor of the United Methodist Church, Winterset, Iowa.

The Journal of Wednesday, March 7, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hennessey, Manilla, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kirkenlager of Des Moines for the morning session on request of Hoffmann of Muscatine.

PETITIONS FILED

The following petitions were received and placed on file:

By Johnson of Howard, from nineteen citizens of Cresco, Iowa favoring House File 190.

By Johnson of Howard, from fifty residents of Howard County opposing change of the present method of computing the allowable growth rate of school systems.

By Krewson of Polk, from fifty-three constituents of the fifty-ninth district favoring House File 500, an act relating to the submission of general obligation bonds to the voters.

INTRODUCTION OF BILLS

House File 666, by committee on cities, a bill for an act to amend city finance laws relating to the establishment of trust and agency

funds, the establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids.

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

House File 667, by committee on cities, a bill for an act relating to municipal improvement districts.

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

House File 668, by committee on commerce, a bill for an act relating to the recovery of costs and attorney's fees in actions to recover payment on a check, draft, or written instrument which is written in violation of chapter seven hundred fourteen (714) of the Code.

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

House File 669, by committee on energy, a bill for an act requiring a life cycle cost analysis for certain government construction projects.

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

House File 670, by committee on energy, a bill for an act relating to mining and providing penalties.

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

SENATE MESSAGES CONSIDERED

Senate File 121, a bill for an act relating to the hunting of crows.

Read first time and referred to committee on **natural resources.**

Senate File 183, a bill for an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance.

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

Senate File 269, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county.

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

Senate File 280, a bill for an act to provide a uniform definition of a farm-to-market road system.

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

Senate File 282, a bill for an act to amend city finance laws relating to the establishment of trust and agency funds, the establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids.

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

Senate File 294, a bill for an act to provide uniform procedures for certifying questions of law.

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

Senate File 299, a bill for an act to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements.

Read first time and **passed on file**.

On motion by Halvorson of Clayton the House was recessed at 9:17 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills for the remainder of the day on request of Danker of Pottawattamie.

PRESENTATION OF VISITORS

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

Forty-five students from Walnut Ridge Baptist Church School, Waterloo, Iowa, accompanied by Mike Rae and Roger Wheeler. By Lind of Black Hawk.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-seven members present, thirteen absent.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of House File 660, a bill for an act relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establishing the state percent of growth, eliminating restrictions on use of additional enrichment moneys, correcting dates, and striking obsolete sections.

Norland of Worth offered the following amendment H-3330 filed by Norland, et al., and moved its adoption:

H-3330

- 1 Amend House File 660 as follows:
- 2 1. Page 3, line 1, by inserting after the word
- 3 "section." the following: "However, if the actual
- 4 state general fund balance on July 1, 1979 exceeds
- 5 one hundred thirty-one million dollars, the state
- 6 percent of growth shall be increased as necessary
- 7 in order to use the amount in excess of one hundred
- 8 thirty-one million dollars to provide as much
- 9 additional basic allowable growth as possible, subject

- 10 to a maximum basic allowable growth equal to that
 11 which would have been provided under subsection one
 12 (1) of this section without the exception provided
 13 in this subsection."

Roll call was requested by Norland of Worth and Groth of Buena Vista.

Rule 80 was invoked.

On the question "Shall amendment H—3330 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran.	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Kirkenslager
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Woods	

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 7:

Bina	Crawford	Harbor	Jesse
Krewson	Larsen	Welsh	

Amendment H—3330 lost.

Norland of Worth offered the following amendment H-3324 filed by him and moved its adoption:

H-3324

- 1 Amend House File 660 as follows:
- 2 1. Page 2, by inserting after line 28 the
- 3 following:
- 4 "Sec. . . Section four hundred forty-two point
- 5 seven (442.7), subsection one (1), paragraph a,
- 6 unnumbered paragraph one (1), Code 1979, is amended
- 7 to read as follows:
- 8 The difference in the state general fund revenues
- 9 received during the year, ~~adjusted for changes in~~
- 10 ~~rates or basis~~, computed or estimated as a percentage
- 11 of change for each of the following periods:".
- 12 2. By numbering and renumbering sections as
- 13 necessary.

Amendment H-3324 was adopted.

Patchett of Johnson offered the following amendment H-3336 filed by Patchett, et al.:

H-3336

- 1 Amend House File 660 as follows:
- 2 1. Page 1, by striking lines 12 through 35.
- 3 2. Page 2, by striking lines 1 through 14.
- 4 3. Page 2, by striking lines 29 through 35.
- 5 4. Page 3, by striking lines 1 through 33 and
- 6 inserting in lieu thereof the following:
- 7 "Sec. . . Section four hundred forty-two point
- 8 eight (442.8), Code 1979, is amended to read as
- 9 follows:
- 10 442.8 STATE COST PER PUPIL. As used in this
- 11 chapter, "state cost per pupil" for the school year
- 12 beginning July 1, 1975, and subsequent school years
- 13 means state cost per pupil in weighted enrollment.
- 14 The state cost per pupil for the school year beginning
- 15 July 1, 1972, is nine hundred three dollars. The
- 16 state cost per pupil for the school year beginning
- 17 on July 1, 1973, and for each succeeding school year
- 18 is the base year's state cost per pupil plus the
- 19 allowable growth for the budget year. If the state
- 20 percent of growth is zero, the state cost per pupil
- 21 shall be the same as the base year's state cost per
- 22 pupil.
- 23 However, for the budget school year beginning July
- 24 1, 1980, and for each subsequent even-numbered budget

25 school year the state cost per pupil for the budget
 26 year shall be computed by using a recomputed state
 27 cost per pupil for the base year. The recomputed
 28 state cost per pupil for the base year is equal to
 29 the amount allocated for all area education agency
 30 support costs in the state for the base year divided
 31 by the weighted enrollment in the state for the base
 32 year plus an amount for regular program costs per
 33 pupil. The regular program cost per pupil is equal
 34 to the sum of the district costs for all school
 35 districts in the state for the base year less the
 36 amount generated for all area education agency support
 37 services in the state for the base year, and less
 38 the amount generated for all special education
 39 instruction in the state for the base year from the
 40 application of the weighting factors in chapter two
 41 hundred eighty-one (281) of the Code, which sum less
 42 deductions shall be divided by the adjusted enrollment
 43 in all school districts used for the calculation of
 44 district budgets for the base year.

45 For each school year subsequent to the school year
 46 beginning July 1, 1975, the allowable growth added
 47 to the state cost per pupil as otherwise computed
 48 under section 442.7 shall be the basic allowable
 49 growth increased by an amount equal to the average
 50 of the amounts of allowable growth added for each

Page 2

1 school district in the state for additional special
 2 education support services needed for that year to
 3 serve newly identified children who require the
 4 services, under sections 273.9, subsection 3 and
 5 442.7, subsection 7, paragraph "d". The state
 6 comptroller shall compute the applicable amount of
 7 allowable growth to be added to the state cost per
 8 pupil for each school year."

9 5. Page 3, by inserting before line 34 the
 10 following:

11 "Sec. . Section four hundred forty-two point
 12 fourteen (442.14), subsections two (2) and three (3),
 13 Code 1979, are amended to read as follows:

14 2. The board shall determine the additional
 15 enrichment amount per pupil needed, within the limits
 16 of this section. The board shall publish notice in
 17 a newspaper of general circulation in the school
 18 district listing the date, time and location of each
 19 of three public hearings to be held for reading and
 20 approval of the enrichment resolution. The hearings
 21 shall be at least one week apart with the third hearing
 22 to take place at least forty-five days prior to the

23 school board election in September of the base year.
 24 If, on or before the date of the third hearing, the
 25 school board receives a petition protesting the
 26 proposed enrichment resolution and signed by not less
 27 than twenty percent of the number of persons who voted
 28 in the most recent school district election, or if
 29 by its own motion the board determines that a
 30 referendum should be held, the school board shall
 31 direct the county commissioner of elections to submit
 32 the question of whether to raise that amount under
 33 the provisions of this section and section 442.15,
 34 to the qualified electors of the school district at
 35 a regular school election held during September of
 36 the base year. If no petition is received and the
 37 board approves the enrichment resolution or if a
 38 majority of those voting favors raising the enrichment
 39 amount, the board may include the approved amount
 40 in its certified budget.

41 3. The Except for that portion of the enrichment
 42 amount provided by state enrichment aid under section
 43 four hundred forty-two point fifteen (442.15) of the
 44 Code, the additional enrichment amount needed shall
 45 be raised within the limits provided in this section
 46 by a combination of an enrichment property tax and
 47 a school district income surtax imposed in the
 48 proportion of a property tax of twenty-seven cents
 49 per thousand dollars of assessed valuation of taxable
 50 property in the district for each five percent of

Page 3

1 income surtax.

2 Sec. Section four hundred forty-two point
 3 fifteen (442.15), unnumbered paragraph one (1), Code
 4 1979, is amended by striking the paragraph and
 5 inserting in lieu thereof the following:

6 If the additional enrichment amount is approved
 7 under section four hundred forty-two point fourteen
 8 (442.14) of the Code, the board shall certify to the
 9 state comptroller that the required procedures have
 10 been carried out. For each school year the additional
 11 enrichment amount is authorized, the state comptroller
 12 shall calculate the total enrichment amount for the
 13 district. Total enrichment amount means the additional
 14 enrichment amount for the district expressed in
 15 dollars. A school district that has authorized an
 16 additional enrichment amount is entitled to state
 17 enrichment aid equal to the amount, if any, that the
 18 guaranteed enrichment return exceeds the total
 19 enrichment amount. The guaranteed enrichment return
 20 is the sum of the guaranteed enrichment property tax

21 return and the guaranteed enrichment surtax return.
22 The guaranteed enrichment property tax return is the
23 product of the guaranteed property tax rate times
24 the district's adjusted enrollment times the greater
25 of the average valuation of taxable property per pupil
26 in adjusted enrollment in the state or the valuation
27 of taxable property per pupil in adjusted enrollment
28 in the district. The guaranteed enrichment surtax
29 return is the product of the guaranteed surtax rate
30 times the district's adjusted enrollment times the
31 greater of the average state individual income taxes
32 paid per pupil in adjusted enrollment in the state
33 or the individual income taxes paid per pupil in
34 adjusted enrollment in the district. The guaranteed
35 property tax rate is the enrichment property tax that
36 would be levied if the state enrichment aid was zero,
37 divided by the valuation of taxable property in the
38 district. The guaranteed surtax rate is the school
39 district income surtax that would be imposed if the
40 state enrichment aid was zero, divided by the total
41 individual income taxes paid in the district. The
42 school district must raise the total enrichment amount
43 less state enrichment aid as provided in section four
44 hundred forty-two point fourteen (442.14), subsection
45 three (3) of the Code, and the state comptroller shall
46 establish the amount of the enrichment property tax
47 to be levied and the school district income surtax
48 to be imposed. The state comptroller shall determine
49 these amounts based upon the most recent figures
50 available for the district's valuation of taxable

Page 4

1 property, state individual income tax paid, and
2 adjusted enrollment in the district, and shall certify
3 to the district's county auditor the amount of
4 enrichment property tax, and to the director of revenue
5 the amount of school district income surtax to be
6 imposed."

7 6. Page 4, by striking lines 2 through 22 and
8 inserting in lieu thereof the following:

9 "Sec. . Acts of the Sixty-seventh General
10 Assembly, 1978 Session, chapter one thousand ninety-
11 nine (1099), section thirty-one (31), is amended to
12 read as follows:

13 SEC. 31. To meet the special problems that result
14 from budget reductions due to declining enrollments
15 prior to the modifications in the adjustments for
16 declining enrollments to take effect commencing with
17 the school year beginning July 1, 1979, there is
18 appropriated from the general fund of the state for

19 the fiscal years beginning July 1, 1978 and ending
 20 June 30, 1980, to the school budget review committee
 21 the sum of two million five hundred thousand
 22 (2,500,000) dollars, or so much thereof as necessary
 23 to be used to minimize the impact of the factor listed
 24 in paragraph two (2) of this section. The school
 25 budget review committee may also establish a modified
 26 allowable growth for the school district by increasing
 27 the allowable growth for the school district to provide
 28 additional funds to assist the school district with
 29 hardships which result from the impact on the school
 30 district's budget resulting from declining enrollment.

31 To assess whether a district has hardships resulting
 32 from reduced funds because of declining enrollment,
 33 the school budget review committee shall consider
 34 whether the school district will be or has been forced
 35 to terminate an existing educational program because
 36 of insufficient funds and thus diminish the overall
 37 quality of the school program for the budget year
 38 from that provided in the base year or prior school
 39 years.

40 Sec. . The section amending Acts of the Sixty-
 41 seventh General Assembly, chapter one thousand ninety-
 42 nine (1099), section thirty-one (31), being deemed
 43 of immediate importance, shall take effect from and
 44 after its publication in The Des Moines Register,
 45 a newspaper published in Des Moines, Iowa, and in
 46 the Iowa City Press-Citizen, a newspaper published
 47 in Iowa City, Iowa."

48 7. Amend the title, line 2, by striking the word
 49 "budget".

50 8. Amend the title by striking line 3 and insert-

Page 5

1 ing in lieu thereof the words "recomputing state
 2 cost".

3 9. Amend the title by striking line 4 and insert-
 4 ing in lieu thereof the words "modification of the
 5 school enrichment aid taxing provisions,".

6 10. Amend the title, line 5, by striking the words
 7 "use of additional enrichment moneys" and inserting
 8 in lieu thereof the words "expansion of the use of
 9 the prior appropriations to the school budget review
 10 committee for declining enrollment,".

11 11. By numbering and renumbering sections as
 12 necessary.

Patchett of Johnson asked and received unanimous consent to withdraw amendment H-3344, to amendment H-3336, filed by him on March 7, 1979.

Patchett of Johnson offered amendment H-3350, to amendment H-3336, filed by him and requested division as follows:

H-3350

- 1 Amend H-3336, filed by Patchett et al., to House
- 2 File 660 as follows:

H-3350A

- 3 1. By striking page 1, line 3 through page 5,
- 4 line 12 and inserting in lieu thereof the following:
- 5 "2. Page 2, by striking lines 1 through 7.

H-3350B

- 6 3. Page 2, by striking lines 11, 12, and 13 and
- 7 inserting in lieu thereof the following:
- 8 "3. Weighted enrollment is the adjusted enrollment
- 9 as modified by application of the".
- 10 4. Page 2, line 14, by inserting after the figure
- 11 "281.9" the words "and the weighting plan which
- 12 provides additional funds for school districts which
- 13 send their resident pupils to another school district
- 14 for classes, which jointly employ and share the
- 15 services of teachers under section two hundred eighty
- 16 point fifteen (280.15) of the Code, or which use the
- 17 services of a teacher employed by another school
- 18 district".

H-3350A

- 19 5. Page 2, by striking lines 29 through 35.
- 20 6. Page 3, by striking lines 1 through 33.

H-3350C

- 21 7. Page 3, by inserting before line 34 the
- 22 following:
- 23 "Sec. Section four hundred forty-two point
- 24 eight (442.8), Code 1979, is amended to read as
- 25 follows:
- 26 442.8 STATE COST PER PUPIL. As used in this
- 27 chapter, "state cost per pupil" for the school year
- 28 beginning July 1, 1975, and subsequent school years
- 29 means state cost per pupil in weighted enrollment.
- 30 The state cost per pupil for the school year beginning
- 31 July 1, 1972, is nine hundred three dollars. The
- 32 state cost per pupil for the school year beginning
- 33 on July 1, 1973, and for each succeeding school year
- 34 is the base year's state cost per pupil plus the

35 allowable growth for the budget year. If the state
 36 percent of growth is zero, the state cost per pupil
 37 shall be the same as the base year's state cost per
 38 pupil.

39 However, for the budget school year beginning July
 40 1, 1980, and for each subsequent even-numbered budget
 41 school year the state cost per pupil for the budget
 42 year shall be computed by using a recomputed state
 43 cost per pupil for the base year. The recomputed
 44 state cost per pupil for the base year is equal to
 45 the amount allocated for all area education agency
 46 support costs in the state for the base year divided
 47 by the weighted enrollment in the state for the base
 48 year plus an amount for regular program costs per
 49 pupil. The regular program cost per pupil is equal
 50 to the sum of the district costs for all school

Page 2

1 districts in the state for the base year less the
 2 amount generated for all area education agency support
 3 services in the state for the base year, and less
 4 the amount generated for all special education
 5 instruction in the state for the base year from the
 6 application of the weighting factors in chapter two
 7 hundred eighty-one (281) of the Code, which sum less
 8 deductions shall be divided by the adjusted enrollment
 9 in all school districts used for the calculation of
 10 district budgets for the base year.

11 For each school year subsequent to the school year
 12 beginning July 1, 1975, the allowable growth added
 13 to the state cost per pupil as otherwise computed,
 14 under section 442.7 shall be the basic allowable
 15 growth increased by an amount equal to the average
 16 of the amounts of allowable growth added for each
 17 school district in the state for additional special
 18 education support services needed for that year to
 19 serve newly identified children who require the
 20 services, under sections 273.9, subsection 3 and
 21 442.7, subsection 5, paragraph "d". The state
 22 comptroller shall compute the applicable amount of
 23 allowable growth to be added to the state cost per
 24 pupil for each school year."

H-3350D

25 8. Page 3, by inserting before line 34 the
 26 following:
 27 "Sec. . . Section four hundred forty-two point
 28 fourteen (442.14), subsections two (2) and three (3),
 29 Code 1979, are amended to read as follows:

30 2. The board shall determine the additional
31 enrichment amount per pupil needed, within the limits
32 of this section. The board shall publish notice in
33 a newspaper of general circulation in the school
34 district listing the date, time and location of each
35 of three public hearings to be held for reading and
36 approval of the enrichment resolution. The hearings
37 shall be at least one week apart with the third hearing
38 to take place at least forty-five days prior to the
39 school board election in September of the base year.
40 If, on or before the date of the third hearing, the
41 school board receives a petition protesting the
42 proposed enrichment resolution and signed by not less
43 than twenty percent of the number of persons who voted
44 in the most recent school district election, or if
45 by its own motion the board determines that a
46 referendum should be held, the school board, and shall
47 direct the county commissioner of elections to submit
48 the question of whether to raise that amount under
49 the provisions of this section and section 442.15,
50 to the qualified electors of the school district at

Page 3

1 a regular school election held during September of
2 the base year. If no petition is received and the
3 board approves the enrichment resolution or if a
4 majority of those voting favors raising the enrichment
5 amount, the board may include the approved amount
6 in its certified budget.

7 3. Except for that portion of the enrichment
8 amount provided by state enrichment aid under section
9 four hundred forty-two point fifteen (442.15) of the
10 Code, the additional enrichment amount needed shall
11 be raised within the limits provided in this section
12 by a combination of an enrichment property tax and
13 a school-district income surtax imposed in the
14 proportion of a property tax of twenty-seven cents
15 per thousand dollars of assessed valuation of taxable
16 property in the district for each five percent of
17 income surtax.

18 Sec. . Section four hundred forty-two point
19 fifteen (442.15), unnumbered paragraph one (1), Code
20 1979, is amended by striking the paragraph and
21 inserting in lieu thereof the following:

22 If the additional enrichment amount is approved
23 under section four hundred forty-two point fourteen
24 (442.14) of the Code, the board shall certify to the
25 state comptroller that the required procedures have
26 been carried out. For each school year the additional
27 enrichment amount is authorized, the state comptroller

28 shall calculate the total enrichment amount for the
 29 district. Total enrichment amount means the additional
 30 enrichment amount for the district expressed in
 31 dollars. A school district that has authorized an
 32 additional enrichment amount is entitled to state
 33 enrichment aid equal to the amount, if any, that the
 34 guaranteed enrichment return exceeds the total
 35 enrichment amount. The guaranteed enrichment return
 36 is the sum of the guaranteed enrichment property tax
 37 return and the guaranteed enrichment surtax return.
 38 The guaranteed enrichment property tax return is the
 39 product of the guaranteed property tax rate times
 40 the district's adjusted enrollment times the greater
 41 of the average valuation of taxable property per pupil
 42 in adjusted enrollment in the state or the valuation
 43 of taxable property per pupil in adjusted enrollment
 44 in the district. The guaranteed enrichment surtax
 45 return is the product of the guaranteed surtax rate
 46 times the district's adjusted enrollment times the
 47 greater of the average state individual income taxes
 48 paid per pupil in adjusted enrollment in the state
 49 or the individual income taxes paid per pupil in
 50 adjusted enrollment in the district. The guaranteed

Page 4

1 property tax rate is the enrichment property tax that
 2 would be levied if the state enrichment aid was zero,
 3 divided by the valuation of taxable property in the
 4 district. The guaranteed surtax rate is the school
 5 district income surtax that would be imposed if the
 6 state enrichment aid was zero, divided by the total
 7 individual income taxes paid in the district. The
 8 school district must raise the total enrichment amount
 9 less state enrichment aid as provided in section four
 10 hundred forty-two point fourteen (442.14), subsection
 11 three (3) of the Code, and the state comptroller shall
 12 establish the amount of the enrichment property tax
 13 to be levied and the school district income surtax
 14 to be imposed. The state comptroller shall determine
 15 these amounts based upon the most recent figures
 16 available for the district's valuation of taxable
 17 property, state individual income tax paid, and
 18 adjusted enrollment in the district, and shall certify
 19 to the district's county auditor the amount of
 20 enrichment property tax, and to the director of revenue
 21 the amount of school district income surtax to be
 22 imposed."

H-3350B

23 9. By striking page 3, line 34 through page 4.

24 line 22 and inserting in lieu thereof the following:
 25 "Sec. Chapter four hundred forty-two (442),
 26 Code 1979, is amended by adding the following new
 27 section:
 28 NEW SECTION. WEIGHTING PLAN. In order to provide
 29 additional funds for school districts which send their
 30 resident pupils to another school district for classes,
 31 which jointly employ and share the services of teachers
 32 under section two hundred eighty point fifteen (280.15)
 33 of the Code, or which use the services of a teacher
 34 employed by another school district, a special
 35 weighting plan for determining enrollment is adopted
 36 as follows:
 37 1. Pupils in a regular curriculum attending all
 38 their classes in the district in which they reside
 39 and taught by teachers employed by that district,
 40 are assigned a weighting of one.
 41 2. Pupils attending classes in another school
 42 district, attending classes taught by a teacher who
 43 is employed jointly under section two hundred eighty
 44 point fifteen (280.15) of the Code, or attending
 45 classes taught by a teacher who is employed by another
 46 school district, are assigned a weighting of one plus
 47 one-tenth times the percent of the pupil's school
 48 day during which the pupil attends classes in another
 49 district, attends classes taught by a teacher who
 50 is jointly employed under section two hundred eighty

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1 point fifteen (280.15) of the Code, or attends classes
 2 taught by a teacher who is employed by another school
 3 district.
 4 3. A pupil eligible for the weighting plan provided
 5 in section two hundred eighty-one point nine (281.9)
 6 of the Code is not eligible for the weighting plan
 7 provided in this section."

H-3350E

8 10. Page 4, by inserting before line 23 the
 9 following:
 10 "Sec. Acts of the Sixty-seventh General
 11 Assembly, 1978 Session, chapter one thousand ninety-
 12 nine (1099), section thirty-one (31), is amended to
 13 read as follows:
 14 SEC. 31. To meet the special problems that result
 15 from budget reductions due to declining enrollments
 16 prior to the modifications in the adjustments for
 17 declining enrollments to take effect commencing with
 18 the school year beginning July 1, 1979, there is

19 appropriated from the general fund of the state for
 20 the fiscal years beginning July 1, 1978 and ending
 21 June 30, 1980, to the school budget review committee
 22 the sum of two million five hundred thousand
 23 (2,500,000) dollars, or so much thereof as necessary
 24 to be used to minimize the impact of the factor listed
 25 in paragraph two (2) of this section. The school
 26 budget review committee may also establish a modified
 27 allowable growth for the school district by increasing
 28 the allowable growth for the school district to provide
 29 additional funds to assist the school district with
 30 hardships which result from the impact on the school
 31 district's budget resulting from declining enrollment.

32 To assess whether a district has hardships resulting
 33 from reduced funds because of declining enrollment,
 34 the school budget review committee shall consider
 35 whether the school district will be or has been forced
 36 to terminate an existing educational program because
 37 of insufficient funds and thus diminish the overall
 38 quality of the school program for the budget year
 39 from that provided in the base year or prior school
 40 years.

41 "Sec. . The section amending Acts of the Sixty-
 42 seventh General Assembly, chapter one thousand ninety-
 43 nine (1099), section thirty-one (31), being deemed
 44 of immediate importance, shall take effect from and
 45 after its publication in The Des Moines Register,
 46 a newspaper published in Des Moines, Iowa, and in
 47 the Iowa City Press-Citizen, a newspaper published
 48 in Iowa City, Iowa."

49 11. By numbering and renumbering sections as
 50 necessary.

Patchett of Johnson moved the adoption of amendment
 H-3350A, to amendment H-3336.

Roll call was requested by Patchett of Johnson and Stromer of
 Hancock.

Rule 80 was invoked.

On the question "Shall amendment H-3350A, to amendment
 H-3336, be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack

Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Miller	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Walter	Wells
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Norland
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Shimaneck	Shull
Smalley	Spear	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Bina	Harbor	Schroeder	Swearingen
Welsh			

Amendment H—3350A lost.

Patchett of Johnson moved the adoption of amendment H—3350B, to amendment H—3336.

Roll call was requested by Patchett of Johnson and Perkins of Greene.

On the question "Shall amendment H—3350B, to amendment H—3336, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse

Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Woods		

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Bina	Cusack	Harbor	Pelton
Welsh			

Amendment H—3350B lost.

Patchett of Johnson moved the adoption of amendment H—3350C, to amendment H—3336.

Roll call was requested by Patchett of Johnson and Chiodo of Polk.

On the question "Shall amendment H—3350C, to amendment H—3336, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones

Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Woods		

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvörson, R.A.
Hansen, I.	Hanson, D.	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Bina	Connors	Harbor	Pelton
Welsh			

Amendment H—3350C lost.

Patchett of Johnson moved the adoption of amendment H—3350D, to amendment H—3336.

Roll call was requested by Patchett of Johnson and Walter of Pottawattamie.

On the question "Shall amendment H—3350D, to amendment H—3336, be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Jay	Jesse
Jochum	Krewson	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Walter	Wells	Woods	

The nays were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 4:

Bina	Harbor	Perkins	Welsh
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Amendment H—3350D lost.

Patchett of Johnson moved the adoption of amendment H—3350E, to amendment H—3336.

Roll call was requested by Patchett of Johnson and Pavich of Pottawattamie.

On the question “Shall amendment H—3350E, to amendment H—3336, be adopted?”

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O’Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 4:

Bina	Harbor	Pelton	Welsh
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Amendment H — 3350E lost.

Patchett of Johnson offered the following amendment H — 3355, to amendment H — 3336, filed by him from the floor and moved its adoption:

H — 3355

1 Amend H-3336, filed by Patchett et al, to House
 2 File 660 as follows:
 3 1. By striking page 1, line 2 through page 5,
 4 line 12 and inserting in lieu thereof the following:
 5 "1. Page 3, by inserting after line 1 the
 6 following:
 7 "Sec. . Section four hundred forty-two point
 8 eight (442.8), Code 1979, is amended to read as
 9 follows:
 10 442.8 STATE COST PER PUPIL. As used in this
 11 chapter, "state cost per pupil" for the school year
 12 beginning July 1, 1975, and subsequent school years
 13 means state cost per pupil in weighted enrollment.
 14 The state cost per pupil for the school year beginning
 15 July 1, 1972, is nine hundred three dollars. The
 16 state cost per pupil for the school year beginning
 17 on July 1, 1973, and for each succeeding school year
 18 is the base year's state cost per pupil plus the
 19 allowable growth for the budget year. If the state
 20 percent of growth is zero, the state cost per pupil
 21 shall be the same as the base year's state cost per
 22 pupil.

23 However for the budget year beginning July 1, 1980,
24 and for each subsequent budget year, the state cost
25 per pupil is the base year's state cost per pupil
26 plus one and three-tenths times the allowable growth
27 for the budget year. However if the resulting
28 computation produces a state cost per pupil greater
29 than the average state cost per pupil, the state cost
30 per pupil for the budget year shall equal the average
31 state cost per pupil for that year, and the state
32 cost per pupil for each even-numbered budget year
33 thereafter shall equal the average state cost per
34 pupil for that year, and the state cost per pupil
35 for each odd-numbered budget year thereafter shall
36 equal the state cost per pupil for the prior year.
37 The average state cost per pupil for the budget year
38 equals the amount allocated for all area education
39 agency support costs in the state for the base year
40 divided by the weighted enrollment in the state for
41 the base year plus an amount for regular program costs
42 per pupil. The amount for regular program costs per
43 pupil is equal to the sum of the district costs for
44 all school districts in the state for the base year,
45 less the amount generated for all area education
46 agency support services in the state for the base
47 year, and less the amount generated for all special
48 education instruction in the state for the base year
49 from the application of the weighting factors in
50 chapter two hundred eighty-one (281) of the Code,

Page 2

1 which sum less deductions shall be divided by the
2 adjusted enrollment in all school districts used for
3 the calculation of district budgets for the base year.
4 For each school year subsequent to the school year
5 beginning July 1, 1975, the allowable growth added
6 to the state cost per pupil as otherwise computed
7 under section 442.7 shall be the basic allowable
8 growth increased by an amount equal to the average
9 of the amounts of allowable growth added for each
10 school district in the state for additional special
11 education support services needed for that year to
12 serve newly identified children who require the
13 services, under sections 273.9, subsection 3 and
14 442.7, subsection 5, paragraph "d". The state
15 comptroller shall compute the applicable amount of
16 allowable growth to be added to the state cost per
17 pupil for each school year."
18 2. By numbering and renumbering sections as
19 necessary."

Roll call was requested by Patchett of Johnson and Arnould of Scott.

On the question "Shall amendment H—3355, to amendment H—3336, be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 50:

Anderson, J.	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 9:

Bennett	Bina	Davitt	Harbor
Krewson	Larsen	Perkins	Schroeder
Welsh			

Amendment H—3355 lost.

Patchett of Johnson asked and received unanimous consent to withdraw amendment H—3336 and amendment H—3342 (to amendment H—3336) filed by him on March 7, 1979.

Avenson of Fayette called up for consideration the motion to reconsider amendment H—3334 (to page 1, found on page 810 of the House Journal) filed by him on March 7, 1979 and moved to reconsider the vote by which amendment H—3334 failed to be adopted by the House on March 7, 1979.

Roll call was requested by Avenson of Fayette and Husak of Tama.

Rule 80 was invoked.

On the question "Shall the motion to reconsider amendment H—3334 prevail?"

The ayes were, 45:

Anderson, J.	Anderson, R.	Arnould	Avenson
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Maufsby	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 50:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	McKean	Menke
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Bina	Chiodo	Harbor	Schroeder
Welsh			

The motion lost.

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?" (H.F. 660)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Brändt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Horn	Hullinger
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	West	Woods	Mr. Speaker

The nays were, 4:

Binneboese	Hinkhouse	Howell	Husak
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Absent or not voting, 4:

Bina	Chiodo	Harbor	Welsh
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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 TABLED

Stromer of Hancock moved to reconsider the vote by which House File 660 passed the House and that the motion to reconsider be tabled.

A non-record roll call was requested.

The ayes were 55, nays 39.

The motion prevailed.

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 on February 19, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 75, a bill for an act relating to veteran's preference in public employment.

FRANK J. STORK, Secretary

SPONSOR WITHDRAWN (House File 241)

Shull of Warren requested to be withdrawn as a sponsor of House File 241.

EXPLANATION OF VOTE

I was in the Senate talking with Senator Deluhrey concerning issues important to our district ie., the relocation payments in the Urban Revitalization bill, the right of citizens to vote in a referendum on the merits of a proposal and requiring conflict of interest ethical standards for public officials, when the vote was taken on H-3350B to House File 660. Had I been present I would have voted "aye."

CUSACK of Scott

COMMUNICATIONS

There is on file in the office of the Chief Clerk a report from the Central Iowa Regional Association of Local Governments regarding Modifications to CETA Programs.

The Annual Report 1978 of the Comptroller's Data Processing Users Group has been received and is on file in the office of the Chief Clerk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 212 Commerce

Relating to accident and health insurance policies and nursing care coverage.

S.B. 213 State Government

Relating to the persons eligible for appointment on the appropriate eligible list under the merit system.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 12:30 p.m., March 7, 1979

Convened: 12:45 p.m.

Adjourned: 1:10 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Clark of Cerro Gordo, Conlon, Doyle, Holt, Johnson of Howard, Lloyd-Jones, Lonergan, Smalley and Walter.

Absent: Patchett, ranking member; Anderson of Audubon (arrived at 12:30 p.m.), Arnould, Corey (arrived at 1:05 p.m.), Hibbs, Jesse (arrived at 12:50 p.m.), Maulsby and Rapp (arrived at 12:50 p.m.).

Excused: Pelton and Welsh.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House File 537), a bill for an act relating to the recovery of costs and attorney's fees in actions to recover payment on a check.

Recommended Amend and Do Pass.

Fiscal note is not required.

COMMITTEE ON COUNTY GOVERNMENT

Senate File 160, a bill for an act relating to the collection of delinquent taxes on buildings located on leased land.

Recommended Do Pass.

Fiscal note is not required.

Study Bill 111, authorizing township trustees to divide a township into taxing districts to provide fire protection service.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON EDUCATION

House File 418, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another.

Recommended Amend and Do Pass.

H-3351

- 1 Amend House File 418 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "district" the words ",but not less than twenty-five
- 4 persons,".
- 5 2. Page 1, by striking lines 29 and 30.

House File 468, a bill for an act to provide a procedure for leasing a portion of a school building.

Recommended Amend and Do Pass.

H-3352

- 1 Amend House File 468 as follows:
- 2 1. Page 1, by striking lines 15 and 16.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 190, a bill for an act relating to the perfection and enforcement of a mechanic's lien.

Recommended Amend and Do Pass.

H-3340

- 1 Amend Senate File 190, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 22 the
- 4 following section:
- 5 "Sec. 2. Section six hundred thirty-one point
- 6 one (631.1), Code 1979, is amended by adding the
- 7 following new unnumbered paragraph:
- 8 **NEW UNNUMBERED PARAGRAPH.** In a mechanic's lien
- 9 foreclosure pursuant to chapter five hundred seventy-
- 10 two (572) of the Code, the district court may appoint
- 11 the district court sitting in small claims as a
- 12 referee to determine as a small claim issues affecting
- 13 accounting, contract, and similar matters, where the
- 14 amount in controversy is less than one thousand
- 15 dollars. The court shall not refer to small claims
- 16 issues affecting title to real property."

Fiscal note is not required.

AMENDMENTS FILED

H-3353	H.F. 530	Smalley of Polk
H-3354	H.F. 649	Evans of Grundy
		Chiodo of Polk
		Schroeder of Pottawattamie
H-3356	H.F. 148	Byerly of Polk

On motion by Halvorson of Clayton the House adjourned at 4:54 p.m. until 10:00a.m., Friday, March 9, 1979.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day — Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 9, 1979

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

Prayer was offered by the Reverend Michael Pulsifer, pastor of the Trinity United Presbyterian Church, Indianola, Iowa.

The Journal of Thursday, March 8, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Milt Van Gundy, Marshalltown, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott and Patchett of Johnson, for a portion of the morning session, on request of Walter of Pottawattamie.

SPECIAL PRESENTATION IOWA EASTER SEAL CHILD

Menke of O'Brien escorted to the front of the chamber and presented to the House Miss Stacey Goodrich, of Cherokee, Iowa, the Iowa Easter Seal Sweetheart for 1979.

Stacey, an eleven year old, was accompanied by her parents, Larry and Joyce Goodrich; brother, Garth, and sister Kelsey. She will represent all handicapped children and adults served by Easter Seals and will appear in towns and cities all over Iowa in the coming weeks to show state residents how their contributions to Easter Seals can aid in helping hundreds of other Iowans like her.

The House rose and extended its welcome.

PRESENTATION OF VISITORS

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

Forty fourth grade students from Grandview Park Baptist School, Des Moines, Iowa, accompanied by Mrs. Howard and Mrs. Gideon. By Daggett of Taylor and Sherzan of Polk.

Twenty-five members of the girls basketball team from Waukon High School, Waukon, Iowa. By Halvorson of Clayton.

Members of the Montezuma girls basketball team from Montezuma, Iowa, accompanied by their coaches, Tony Dicecco and Ron Willrich. By Dieleman of Marion.

PETITIONS FILED

The following petitions were received and placed on file:

By Danker of Pottawattamie, from sixteen constituents favoring legislation enacted by the Iowa legislature authorizing the construction of an overpass over the tracks of the Chicago & North Western Railway at its intersection with U.S. Highway 30 on the western boundary of the city of Missouri Valley, Iowa, and authorizing the state of Iowa to pay all of Missouri Valley's share of the cost of the construction.

By Lura of Marshall, from twenty-two citizens of Afton, Iowa and Wells of Linn from twenty-four constituents of district twenty-seven, favoring a reduction of the six percent for each year of early retirement of school employees under IPERS to three percent.

By Oxley of Linn, from fifty constituents of district 30 favoring the designation of the ladybug as the state insect and that it shall not be needlessly injured or killed in the state.

INTRODUCTION OF BILLS

House File 671, by committee on agriculture, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program.

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

House File 672, by committee on county government, a bill for an act authorizing township trustees to divide a township into taxing districts to provide fire protection service.

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

House File 673, by committee on judiciary and law enforcement, a bill for an act increasing the amount of interest on money due on judgments and decrees of courts from seven to ten percent.

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

House File 674, by committee on human resources, a bill for an act relating to information required on certificates of marriage.

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

SENATE MESSAGE CONSIDERED

Senate File 75, a bill for an act relating to veteran's preference in public employment.

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 on March 7, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 6; endorsing the intent and goals of the United Nations and the National and Iowa Commissions for the International Year of the Child.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 29, a bill for an act relating to the enforcement of foreign judgments.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 89, a bill for an act relating to borrow pits.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 93, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 247, a bill for an act relating to policies of boards of directors of school districts concerning the residence of employees.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 277, a bill for an act relating to the separation distances of anaerobic lagoons used in animal feeding operations.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 298, a bill for an act repealing the provision of law relating to documents required for the adoption of Vietnamese refugee children.

Also: That the Senate has on March 7, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 314, a bill for an act to permit counties to sell property to the state department of transportation to be used for transportation purposes.

FRANK J. STORK, Secretary

MOTION TO RECONSIDER WITHDRAWN
(House File 632)

Smalley of Polk asked and received unanimous consent to withdraw the motion to reconsider House File 632 filed by him on March 6, 1979.

WAYS AND MEANS CALENDAR

The House resumed consideration of **House File 650**, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Norland of Worth offered the following amendment H-3307 filed by him:

H-3307

1 Amend House File 650 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Section four hundred twenty-two point
5 thirty-five (422.35), Code 1979, is amended by adding
6 the following new subsection:
7 "NEW SUBSECTION. Subtract an amount equal to
8 twenty percent of the actual amount expended by the
9 taxpayer for salaries and wages within the state to
10 permanent full-time employees if the taxpayer is
11 engaged in assembling, fabricating, manufacturing,
12 or processing of any agricultural, mineral, or
13 manufactured products. A deduction allowed under
14 this subsection shall be allowed for each of the
15 succeeding four years following the year in which
16 the deduction is claimed. The additional deduction
17 allowed under this subsection shall only apply to
18 salaries and wages paid to new permanent full-time
19 employees hired for new positions and shall not apply
20 to salaries and wages paid to permanent full-time
21 employees hired to fill vacant positions. The
22 additional deduction shall also be allowed only if
23 the taxpayer has actual value added to industrial
24 real estate by new construction. For purposes of
25 this subsection, "new construction" means new buildings
26 and structures and includes new buildings and
27 structures which are constructed as additions to
28 existing buildings and structures. New construction
29 does not include reconstruction of an existing building
30 or structure which does not constitute complete
31 replacement of an existing building or structure.

32 Sec. 2. This Act is effective January first
33 following enactment for tax years beginning on or
34 after January first following enactment."

35 2. Amend the title, by striking all of the title
36 after the word "Act" in line 1 and inserting in lieu
37 thereof the words "to provide an additional deduction
38 for certain corporate taxpayers for salaries and wages
39 paid to new permanent full-time employees hired by
40 the taxpayer."

West of Marshall rose on a point of order that amendment H-3307 was not germane.

The Speaker ruled the point well taken and amendment H-3307 not germane.

Norland of Worth moved that the rules be suspended to consider amendment H-3307.

Roll call was requested by Anderson of Jasper and Norland of Worth.

On the question "Shall the rules be suspended to consider amendment H-3307?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 3:

Bina

Patchett

Welsh

The motion lost.

Davitt of Warren asked and received unanimous consent to defer action on amendment H—3316 until consideration of amendment H—3286.

Spear of Lee asked and received unanimous consent to defer action on amendment H—3319 until consideration of amendment H—3286.

Miller of Buchanan offered the following amendment H—3314 filed by him and moved its adoption:

H—3314

- 1 Amend House File 650 as follows:
- 2 1. Page 2, line 20, by inserting after the word
- 3 "Act." the following: "However, the granting of the
- 4 exemption under this section for new construction
- 5 constituting complete replacement of an existing
- 6 building or structure shall not result in the assessed
- 7 value of the industrial real estate being reduced
- 8 below the assessed value of the industrial real estate
- 9 before the start of the new construction added."

Amendment H—3314 was adopted.

Bruner of Story offered the following amendment H—3302 filed by him:

H—3302

- 1 Amend House File 650 as follows:
- 2 1. Page 3, by inserting after line 19 the following
- 3 new section:
- 4 "Sec. . . . NEW SECTION. This Act is repealed
- 5 effective January 1, 1985."

Bruner of Story offered the following amendment H—3321, to amendment H—3302, filed by him and moved its adoption:

H-3321

- 1 Amend amendment H-3302, to Page 3 of House File
- 2 650, as follows:
- 3 1. Page 1, by striking line 5 and inserting in
- 4 lieu thereof the following: "effective January 1,
- 5 1985, except that all existing exemptions granted
- 6 under this Act prior to January 1, 1985 shall
- 7 continue to their conclusion."

Amendment H-3321 was adopted.

Bruner of Story moved the adoption of amendment H-3302, as amended.

Roll call was requested by Byerly of Polk and Horn of Linn.

On the question "Shall amendment H-3302, as amended, be adopted?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Sherzan	Wells
Woods			

The nays were, 59:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimaneck	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	West	Mr. Speaker	

Absent or not voting, 4:

Bina

Hullinger

Rapp

Welsh

Amendment H—3302, as amended, lost.

Krewson of Polk asked and received unanimous consent to withdraw his motions to reconsider amendments H—3286 and H—3288 filed by him on March 5, 1979.

West of Marshall asked and received unanimous consent to withdraw his motion to reconsider amendment H—3288 filed by him on March 5, placing out of order his motion to reconsider amendment H—3295 (to amendment H—3288) filed by him on March 5, 1979.

West of Marshall asked and received unanimous consent to withdraw his motion to reconsider amendment H—3280 filed by him on March 5, 1979.

Davitt of Warren asked and received unanimous consent to withdraw amendment H—3316, to page 1, filed by him on March 5, 1979.

Spear of Lee offered the following amendment H—3319 filed by him and moved its adoption:

H—3319

- 1 Amend House File 650 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "Code." the words "The board of supervisors of a
- 4 county which is located along a river which is used
- 5 for the interstate transportation of goods may approve
- 6 a partial exemption from property taxation of the
- 7 actual value added to industrial real estate if the
- 8 property is located outside the incorporated limits
- 9 of a city and adjacent to the river which is used
- 10 for the interstate transportation of goods if the
- 11 owner of the property will receive or transport goods
- 12 on the river. The board of supervisors of a county
- 13 shall be subject to the same requirements and
- 14 procedures imposed upon cities under this Act as to
- 15 the manner of providing for the granting of the
- 16 exemption."

Roll call was requested by Krewson of Polk and Walter of Pottawattamie.

On the question "Shall amendment H—3319 be adopted?"

The ayes were, 75:

Anderson, J.	Anderson, R.	Bennett	Binneboese
Brandt	Branstad	Bruner	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connors
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Groth
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Howell	Hullinger	Hummel	Husak
Jay	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lonergan
Lorenzen	Lura	Maulshy	Menke
Miller	Mullins	Norland	Oxley
Pellett	Pelton	Perkins	Pope
Rapp	Ritsema	Schneklöth	Schroeder
Sherzan	Shimaneck	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
West	Woods	Mr. Speaker	

The nays were, 20:

Arnould	Avenson	Byerly	Chiodo
Connolly	Cusack	Davitt	Gettings
Hall	Halvorson, R.N.	Horn	Jochum
Johnson, J.	Krewson	Lloyd-Jones	McKean
Pavich	Poffenberger	Smalley	Wells

Absent or not voting, 5:

Bina	Jesse	O'Kane	Patchett
Welsh			

Amendment H—3319 was adopted.

Lloyd-Jones of Johnson moved that House File 650 be rereferred to the committee on ways and means.

Roll call was requested by Harbor of Mills and West of Marshall.

On the question "Shall the motion to rerefer prevail?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chfodo
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Woods

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Bina	Cusack	Evans	Patchett
Welsh			

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk for the remainder of the day on request of Lura of Marshall.

West of Marshall 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 80 was invoked.

On the question "Shall the bill pass?" (H.F. 650)

The ayes were, 61:

Bennett	Brandt	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Horn
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Spear
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	West	Woods
Mr. Speaker			

The nays were, 35:

Anderson, J.	Anderson, R.	Arnould	Avenson
Binneboese	Branstad	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Maulsby	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Walter	

Absent or not voting, 4:

Bina	Stromer	Swearingen	Welsh
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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 TABLED

West of Marshall moved to reconsider the vote by which House File 650 passed the House and that the motion to reconsider be tabled.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 53, nays 39.

The motion prevailed.

On motion by Halvorson of Clayton, the House was recessed at 12:20 p.m. until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott for the remainder of the day on request of Jochum of Dubuque.

QUORUM CALL

Roll call was requested by Schnekloth of Scott and Bennett of Ida to determine that a quorum was present.

Present: 69

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Branstad	Bruner	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Davitt
Dieleman	Diemer	Doyle	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lonergan
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	Norland	Oxley
Pellett	Perkins	Pope	Rapp
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Spear	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Mr. Speaker			

Absent: 31

Anderson, J.	Arnould	Bina	Byerly
Chiodo	Clark, B.J.	Cusack	Daggett

Danker	De-Groot	Egenes	Gettings
Hanson, D.	Jay	Jesse	Larsen
Lloyd-Jones	McKean	O'Kane	Patchett
Pavich	Pelton	Poffenberger	Schroeder
Sherzan	Stromer	Swearingen	Walter
Welsh	West	Woods	

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cusack of Scott for the afternoon session on request of Cochran of Webster; Lloyd-Jones of Johnson for the remainder of the day on request of Jochum of Dubuque; Walter of Pottawattamie for the remainder of the day on request of Pavich of Pottawattamie; Hinkhouse of Cedar for the remainder of the day on request of Binneboese of Plymouth; Wells of Linn on request of Jay of Appanoose; Shull of Warren on request of Diemer of Black Hawk.

PRESENTATION OF VISITOR

Doyle of Woodbury presented to the House the Honorable Harold J. Houston, former member of the House representing Crawford County.

Regular Calendar

The House resumed consideration of **House File 148**, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, and amendment H—3246 (to page 2), found on pages 790 and 791 of the House Journal.

Evans of Grundy offered the following amendment H—3346, to amendment H—3246, filed by Evans, et al., and moved its adoption:

H—3346

- 1 Amend the amendment H—3246 to House File 148 as
- 2 follows:
- 3 1. Page 1, by striking lines 10 and 11 and
- 4 inserting in lieu thereof the following: "or pending
- 5 use other than farming, shall convert the land to
- 6 the purpose other than farming,".

- 7 2. Page 1, line 26, by striking the word
 8 "potential" and inserting in lieu thereof the word
 9 "pending".
- 10 3. Page 1, line 43, by striking the word
 11 "potential" and inserting in lieu thereof the word
 12 "pending".
- 13 4. Page 1, line 45, by inserting after the word
 14 "acquired" the following: "and the status of the
 15 land's development for the purpose other than farming".

Amendment H—3346 was adopted.

On motion by Tyrrell of Iowa, amendment H—3246, as amended, was adopted.

Perkins of Greene offered the following amendment H—3338 filed by Perkins, et al., and moved its adoption:

H—3338

- 1 Amend House File 148, page 1, line 10 by
 2 inserting after the word "a" the word "permanent".

Amendment H—3338 was adopted.

Evans of Grundy offered the following amendment H—3347 filed by Evans, et al., and moved its adoption:

H—3347

- 1 Amend House File 148 as follows:
- 2 1. Page 2, by striking line 16 and inserting in
 3 lieu thereof the following: "of this Act or who fails
 4 to convert the land to the purpose other than farming
 5 within five years as provided for in this Act, remains
 6 in violation of this Act for as long as".
- 7 2. Page 2, by striking line 18 and inserting in
 8 lieu thereof the following:
- 9 "3. The restriction set forth in subsection one
 10 (1) of this section does not apply".
- 11 3. Page 2, line 22, by striking the word
 12 "potential" and inserting in lieu thereof the word
 13 "pending".
- 14 4. Page 2, by inserting after line 29 the
 15 following:
- 16 "4. A nonresident alien, foreign business or
 17 foreign government, or an agent, trustee or fiduciary
 18 thereof shall not transfer title to or interest in
 19 agricultural land to a nonresident alien, foreign

20 business or foreign government, or an agent, trustee
21 or fiduciary thereof except by devise or descent."
22 5. Page 4, line 7, by inserting after the word
23 "Act" the following: "or that the land has not been
24 converted to the purpose other than farming within
25 five years as provided for in this Act".

Amendment H—3347 was adopted.

Byerly of Polk offered the following amendment H—3349 filed by him:

H—3349

1 Amend House File 148 as follows:
2 1. Page 2, line 19, by inserting after the word
3 "land," the following: "not to exceed one hundred
4 sixty acres,".
5 2. Page 2, line 23, by striking the word "pending"
6 and inserting in lieu thereof the following: "a
7 nonresident alien, foreign business or foreign
8 government, or an agent, trustee or fiduciary thereof,
9 who lawfully owns over one hundred sixty acres on
10 the effective date of this Act, may continue to own
11 or hold the land, but shall not purchase or otherwise
12 acquire additional agricultural land in this state.
13 Pending".

Byerly of Polk offered the following amendment H—3356, to amendment H—3349, filed by him and moved its adoption:

H—3356

1 Amend the amendment H—3349 to House File 148 as
2 follows:
3 1. Page 1, lines 3 and 4, by striking the words
4 "one hundred sixty" and inserting in lieu thereof
5 the words, "three hundred twenty".
6 2. Page 1, line 9, by striking the words "one
7 hundred sixty" and inserting in lieu thereof the words
8 "three hundred twenty".

Amendment H—3356 was adopted.

On motion by Byerly of Polk, amendment H—3349, as amended, was adopted.

Davitt of Warren offered the following amendment H—3317 filed by him and moved its adoption:

H—3317

- 1 Amend House File 148 as follows:
- 2 1. Page 3, by inserting after line 2 the
- 3 following:
- 4 "Sec. NEW SECTION. CHANGE OF STATUS—
- 5 DIVESTMENT. A person or business which purchases
- 6 or otherwise acquires agricultural land in this
- 7 state after the effective date of this Act, and
- 8 whose status changes so that it becomes a foreign
- 9 business or nonresident alien subject to this Act,
- 10 shall divest itself of all right, title and interest
- 11 in the land within two years from the date that its
- 12 status changed."
- 13 2. By renumbering as necessary.

Amendment H—3317 was adopted.

Tyrrell of Iowa 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. 148)

The ayes were, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Horn
Howell	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lonergan	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Smalley	Spear
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Arnould	Bina	Cusack	Hinkhouse
Hullinger	Jesse	Lloyd-Jones	Lura
O'Kane	Shimanek	Shull	Swearingen
Walter	Welden	Wells	Welsh

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

House File 304, a bill for an act permitting latch-open devices on fuel hose nozzle valves, with report of committee recommending amendment and passage was taken up for consideration.

Corey of Louisa offered amendment H—3272 filed by the committee on agriculture on March 1, 1979 and found on page 730 of the House Journal and moved its adoption.

Amendment H—3272 was adopted.

Byerly of Polk offered the following amendment H—3304 filed by him and Schroeder of Pottawattamie and moved its adoption:

H—3304

- 1 Amend House File 304 as follows:
- 2 1. Page 1, lines 5 and 6, by striking the words
- 3 "valves rather than" and inserting in lieu thereof
- 4 the words "only if the nozzle valve is".

Amendment H—3304 was adopted.

Corey of Louisa 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. 304)

The ayes were, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker

Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Shimanek	Smalley	Spear	Stromer
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker

The nays were, 1:

Sherzan

Absent or not voting, 15:

Arnould	Bina	Clark, B.J.	Cusack
Gettings	Hinkhouse	Hullinger	Lloyd-Jones
O'Kane	Pelton	Shull	Swearingen
Walter	Wells	Weish	

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

UNANIMOUS CONSENT TO VOTE

The following members asked and received unanimous consent to be recorded as voting "aye" on House File 304 and the votes were so recorded: Brandt of Black Hawk, Chiodo of Polk, Harbor of Mills, Hummel of Benton, Jesse of Polk, Krewson of Polk, Loneragan of Boone and Poffenberger of Dallas.

SPONSOR ADDED (House File 315)

Conlon of Muscatine requested that his name be added as a sponsor to House File 315.

EXPLANATION OF VOTE

I inadvertently pushed the wrong button when the vote was taken on amendment H—3319 by Spear to House File 650 on Friday, March 9. I would have voted “aye” on amendment H—3319.

PAVICH of Pottawattamie

**COMMUNICATION FROM
SECRETARY OF STATE**

March 9, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 23, was published in The Red Oak Express, Red Oak, Iowa on February 8, 1979, and in the Urbandale News, Urbandale, Iowa on February 8, 1979, and republished March 8, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

**PROOF OF PUBLICATION
(House File 617)**

Published copy of House File 617 and verified proof of publication of said bill in the Centerville Iowegian & Citizen, a daily newspaper published in Centerville, Appanoose County, Iowa on March 5, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 214 State Government

To increase from three to five the membership of the commission for the blind.

SUBCOMMITTEE ASSIGNMENTS

House File 43

County Government: Clark of Cerro Gordo, Chair; Connolly and Johnson of Howard.

House File 117
(Reassignment)

Education; Diemer, Chair; Krewson and Groth.

House File 248

Education; Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 374

Education; Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 408

Education; Stromer, Chair; Thompson, Horn, Crawford, Larsen, Menke, Diemer, Norland, Patchett, Groth and Jay.

House File 418

Education; Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 468

Education; Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 471

Education; Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

House File 613

Cities; West, Chair; Tyrrell and O'Kane.

House File 635

Agriculture; De Groot, Chair; Husak, Bennett, Anderson of Audubon and Hinkhouse.

House File 643

Cities; Lorenzen, Chair; Hanson of Delaware and Pavich.

Senate File 24

County Government; Schnekloth, Chair; Dieleman and Shull.

Senate File 135

Agriculture; Husak, Chair; Van Maanen and Harbor.

Senate File 159

County Government; Hanson of Delaware, Chair; Connolly and Johnson of Howard.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 194

Human Resources: Poffenberger, Chair; Shimanek and Husak.

Study Bill 195

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Study Bill 196

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Study Bill 204

Judiciary and Law Enforcement: Pelton, Chair; Corey and Arnould.

Study Bill 207

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Pelton.

Study Bill 208

Judiciary and Law Enforcement: Anderson of Audubon, Chair; Smalley and Doyle.

Study Bill 209

Judiciary and Law Enforcement: Corey, Chair; Johnson of Howard and Lonergan.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Study Bill 4, 43 and 44, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program.

Recommended **Amend and Do Pass.**

COMMITTEE ON CITIES

House File 499, a bill for an act relating to the payment of hospitalization and medical benefits for certain retired employees of police and fire departments.

Recommended Amend and Do Pass.

H-3357

- 1 Amend House File 499 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "Code" the words "for a disability contracted while
- 4 the member was engaged in the performance of duties".
- 5 2. Page 1, line 24, by inserting after the word
- 6 "Code" the words "for an injury or disease incurred
- 7 in or aggravated by the actual performance of duty".

COMMITTEE ON COMMERCE

House File 315, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

Recommended Amend and Do Pass.

H-3359

- 1 Amend House File 315 as follows:
- 2 1. Page 1, line 7, by striking the words "con-
- 3 tract, tort, and warranty" and inserting in lieu
- 4 thereof the words "tort and implied warranty".

Fiscal note is not required.

Senate File 158, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties.

Recommended Amend and Do Pass.

H-3358

- 1 Amend Senate File 158 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by striking line 3 and inserting in
- 4 lieu thereof the following:
- 5 "(2) Either a statement that the credit union
- 6 has adopted truncation, or, if the credit union has
- 7 not adopted truncation, a statement of the procedures
- 8 to be followed in returning the original share drafts
- 9 to issuing members."
- 10 2. Page 4, by striking lines 28 and 29 and
- 11 inserting in lieu thereof the following:

12 (5) Any other material modification of the share-
13 draft program."

14 3. Page 6, by striking lines 4 and 5.

15 4. Page 6, line 12, by inserting after the period
16 the following: "However, the exception contained
17 in this subsection does not apply to any person
18 referred to in this subsection if the person is a
19 holder in due course, as provided in chapter five
20 hundred fifty-four (554), article three (3) of the
21 Code; and with respect to a share draft which is
22 issued prior to the expiration of one hundred twenty
23 days after the effective date of this Act, the person
24 shall not be denied the rights of a holder in due
25 course of the share draft solely on the grounds that
26 the share draft fails to meet the requirements of
27 section five hundred fifty-four point three thousand
28 one hundred four (554.3104), subsection one (1),
29 paragraph d of the Code."

30 5. Page 6, lines 20 and 21, by striking the words
31 "Act respecting the operation of the share-draft
32 program" and inserting in lieu thereof the words "Act,
33 including all operational specifications and procedures
34 established or modified in accordance with that
35 section".

36 6. Page 7, by striking lines 8 through 12 and
37 inserting in lieu thereof the following:

38 "2. The share-draft liquidity reserve shall be
39 equal to the sum of the following two amounts:

40 a. Seven percent of the total amount of funds
41 held by the credit union in share-draft accounts.

42 b. Three percent of the total amount of funds
43 held by the credit union in deposit accounts. As
44 used in this paragraph the term "deposit accounts"
45 excludes share-draft accounts and share accounts."

46 7. Page 7, by striking lines 13 through 35 and
47 inserting in lieu thereof the following:

48 "3. The share-draft liquidity reserve shall be
49 held as cash, or as demand deposits in the name of
50 the credit union in state or national banks. All

Page 2

1 cash in the credit union and all demand deposits held
2 in banks in the name of the credit union shall be
3 credited against the reserve requirements of this
4 section."

5 8. Page 8, by striking lines 1 through 18.

6 9. Page 8, by striking lines 24 through 35 and
7 inserting in lieu thereof the following: "after any
8 deposits as required by this subsection, the average
9 of the amounts actually held by the credit union in

10 cash and demand deposits on that business day and
 11 each of the preceding four business days is less than
 12 the minimum amount specified in subsection two (2)
 13 of this section."

14 10. Page 9, by striking lines 22 through 24 and
 15 inserting in lieu thereof the following: "draft
 16 program. However, if after notice and opportunity
 17 for hearing the administrator finds that a credit
 18 union has violated this section more than twice during
 19 any twelve-month period or has demonstrated a
 20 continuing pattern of violations of this section,
 21 the administrator shall revoke the authority of the
 22 credit union to operate a share-draft program."

23 11. Page 10, line 6, by striking the words "is
 24 insolvent or that it" and inserting in lieu thereof
 25 the words "is insolvent or that it".

26 12. Page 10, line 8, by striking the word "shall"
 27 and inserting in lieu thereof the words "shall, except
 28 when the credit union is insolvent,".

29 13. Page 10, line 10, by striking the word "shall"
 30 and inserting in lieu thereof the words "shall may".

31 14. Page 10, line 10; by striking the word "less"
 32 and inserting in lieu thereof the words "less more".

33 15. Page 10, line 14, by striking the words "dis-
 34 trict in which" and inserting in lieu thereof the
 35 words "district county in which".

36 16. Page 10, line 16, by inserting after the
 37 period the following: "Notwithstanding any other
 38 provision of this chapter, upon a determination by
 39 the administrator that a credit union's assets, if
 40 made immediately available, would not be sufficient
 41 to discharge the credit union's liabilities, the
 42 administrator shall take control of the credit union,
 43 and if the administrator determines that the condition
 44 cannot be corrected, the administrator shall revoke
 45 the certificate of approval and shall apply to the
 46 district court in the county in which the main office
 47 of the credit union is located for the appointment
 48 of a receiver for the credit union."

49 17. Page 10, line 26, by striking the word "Act"
 50 and inserting in lieu thereof the words "Act, except

Page 3

1 in the event of insolvency of the credit union".

2 18. Page 10, by inserting after line 26 the fol-
 3 lowing:

4 "The administrator may adopt rules which define
 5 insolvency or which establish factors to be considered
 6 in determining insolvency. The administrator may
 7 adopt separate solvency standards for credit unions
 8 which are within their first year of operation."

9 19. Page 11, by striking lines 18 through 33 and
 10 inserting in lieu thereof the following: "upon terms
 11 and conditions prescribed by it. Any member may
 12 withdraw from the credit union at any time, but notice
 13 of withdrawal may be required as provided in this
 14 section. All amounts paid on shares or as deposits
 15 of an expelled or withdrawing member, with any
 16 dividends or interest accredited thereto, to the date
 17 thereof, shall, as funds become available and after
 18 deducting all amounts due from the member to the
 19 credit union and an amount as necessary to honor
 20 outstanding share drafts drawn against accounts of
 21 the member, be paid to him. The the member. Upon
 22 expulsion or withdrawal of a member from a credit
 23 union, or at any other time, the credit union may
 24 require sixty days' notice of intention to withdraw
 25 shares and thirty days' notice of intention to withdraw
 26 deposits, except that a credit union shall not at
 27 any time require notice of withdrawal with respect
 28 to funds which are subject to withdrawal by share
 29 drafts. Withdrawing or expelled members shall have
 30 no further rights in the credit union but are not,
 31 by such expulsion or withdrawal, released from any
 32 remaining liability to the credit union."

33 20. Page 11, by inserting after line 33 the
 34 following:

35 "Sec. . Section five hundred thirty-three point
 36 twenty-four (533.24), unnumbered paragraph two (2),
 37 Code 1979, is amended to read as follows:

38 The moneys and credits tax on credit unions is
 39 hereby imposed at a rate of five mills on each dollar
 40 of the legal and special reserves of every which are
 41 required to be maintained by the credit union under
 42 section five hundred thirty-three point seventeen
 43 (533.17) of the Code, and shall be levied by the board
 44 of supervisors, and placed upon the tax list and
 45 collected by the county treasurer, except that an
 46 exemption shall be given to each credit union in the
 47 amount of four forty thousand dollars and, in addition,
 48 any amount of the legal and special reserves which
 49 are invested in United States government securities.
 50 The amount collected in each taxing district within

Page 4

1 a city shall be apportioned twenty percent to the
 2 county general fund, thirty percent to the city general
 3 fund, and fifty percent to the general fund of the
 4 state, and the amount collected in each taxing district
 5 outside of cities shall be apportioned fifty percent
 6 to the county general fund and fifty percent to the
 7 general fund of the state. The moneys and credits

8 tax shall be collected at the location of the credit
9 union as shown in its articles of incorporation."

10 21. Page 13, by striking lines 5 through 7 and
11 inserting in lieu thereof the words "of this Act may
12 continue to use the same bank until December 31, 1980.
13 Effective January 1, 1981, or at any prior".

14 22. Page 13, line 26, by striking the words "one
15 hundred twenty days" and inserting in lieu thereof
16 the words "one year".

17 23. Page 15, by inserting after line 17 the
18 following:

19 "Sec. . Section five hundred thirty-five point
20 two (535.2), subsection two (2), Code 1977, as amended
21 by Acts of the Sixty-seventh General Assembly, 1978
22 Session, chapter one thousand one hundred ninety
23 (1190), section eleven (11), is amended effective
24 July 1, 1979, to read as follows:

25 2. Any domestic or foreign corporation, and any
26 real estate investment trust as defined in section
27 856 of the Internal Revenue Code, and any person
28 purchasing securities as defined in chapter 502 on
29 credit from a broker or dealer registered or licensed
30 under chapter 502 or under the Security Securities
31 Exchange Act of 1934, 48 Stat. 881, 15 United States
32 Code 78A, as amended, and any person borrowing money
33 or obtaining credit in the principal amount of two
34 one hundred thousand dollars or more, exclusive of
35 interest, for business purposes, and any person
36 borrowing money or obtaining credit in the principal
37 amount of five hundred thousand dollars or more,
38 exclusive of interest, for agricultural purposes,
39 may agree in writing to pay any rate of interest in
40 excess of the rate permitted by this section, and
41 no such corporation or real estate investment trust
42 or person so agreeing in writing shall plead or
43 interpose the claim or defense of usury in any action
44 or proceeding.

45 24. Page 17, by striking lines 8 through 12 and
46 inserting in lieu thereof the following: "a loan
47 processing fee which does not exceed one percent of
48 an amount which is equal to the loan principal less
49 twelve thousand five hundred dollars, except that
50 in the event of an assumption of a prior loan the

Page 5

1 lender may collect a loan processing fee which does
2 not exceed an amount which is a reasonable estimate
3 of the expense of processing the loan assumption but
4 which does not exceed one percent of the amount
5 assumed".

6 25. Page 17, line 13, by striking the word

7 "principal".

8 26. Page 17, line 13, by inserting after the
9 period the following: "A loan processing fee collected
10 under the authority of this paragraph is compensation
11 to the lender solely for the use of money,
12 notwithstanding any provision of the agreement to
13 the contrary. However, a loan processing fee collected
14 under the authority of this paragraph shall be
15 disregarded for purposes of determining the maximum
16 charge permitted by section five hundred thirty-five
17 point two (535.2) of the Code, or Acts of the Sixty-
18 seventh General Assembly, 1978 Session, chapter one-
19 thousand one hundred ninety (1190), section thirteen
20 (13), subsection two (2)."

21 27. Page 17, line 32, by inserting after the word
22 "fees" the following: "paid to a third party, or
23 when the appraisal is performed by the lender, a fee
24 which is a reasonable estimate of the expense incurred
25 by the lender in performing the appraisal".

26 28. Page 17, line 34, by inserting after the word
27 "Abstracting" the following: "fees paid to a third
28 party, or when the abstracting is performed by the
29 lender, a fee which is a reasonable estimate of the
30 expense incurred by the lender in performing the
31 abstracting".

32 29. Page 18, by striking lines 7 through 9 and
33 inserting in lieu thereof the following: "the seller.
34 Collection of any cost other".

35 30. Page 18, by striking lines 11 through 18 and
36 inserting in lieu thereof the following:

37 "c. If the purpose of the loan is to enable the
38 borrower to purchase a single-family or two-family
39 dwelling, for his or her residence, the loan agreement
40 shall not contain any provision which prohibits the
41 borrower from transferring his or her interest in
42 the property to a third party for use by the third
43 party as his or her residence, and shall not contain
44 any provision which requires or permits the lender
45 to make a change in the interest rate, the repayment
46 schedule or the term of the loan as a result of a
47 transfer by the borrower of his or her interest in
48 the property to a third party for use by the third
49 party as his or her residence. A provision of a loan
50 agreement which violates this paragraph is void."

Page 6

1 31. Page 18, line 20, by striking the words
2 "paragraphs a, b or c" and inserting in lieu thereof
3 the words "paragraph a or b".

4 32. Page 18, line 21, by striking the words

5 "paragraphs a, b or c" and inserting in lieu thereof
6 the words "paragraph a or b".

7 33. Page 20, by striking lines 6 and 7 and

8 inserting in lieu thereof the following:

9 "2. Whenever a borrower under a loan repays the
10 full amount prepays part or all of the outstanding
11 balance of the loan in connection with".

12 34. Page 20, by striking lines 18 through 21,
13 and inserting in lieu thereof the following: "may,
14 however, require advance notice of not more than
15 thirty days of a borrower's intent to repay the full
16 amount of a loan entire outstanding balance of a loan
17 if the payment of that balance, together with any
18 partial prepayments made previously by the borrower,
19 will result in the repayment of the loan at a date
20 earlier than is required by the terms of the loan
21 agreement."

22 35. By renumbering sections and subsections of
23 the bill and correcting internal references as
24 necessary.

Fiscal note is not required.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Study Bill 16, relating to age discrimination including the maximum age of employment in certain occupations and in pension plans.

Recommended **Amend and Do Pass**.

COMMITTEE ON STATE GOVERNMENT

Committee Bill, a bill for an act relating to establishing a committee to review the regulation of occupations.

Recommended **Do Pass**.

Fiscal note is required.

AMENDMENTS FILED

H-3360	H.F. 669	Perkins of Greene
H-3361	H.F. 450	Perkins of Greene
H-3362	H.F. 418	Crawford of Story

On motion by Halvorson of Clayton the House adjourned at 3:06 p.m. until 10:00 a.m., Monday, March 12, 1979.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day — Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 12, 1979

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

Prayer was offered by the Reverend Anne Baker, associate pastor of the Trinity Episcopal Church, Iowa City, Iowa and chaplain to Episcopalians at the University of Iowa and Veterans' Hospital.

The Journal of Friday, March 9, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Ferree, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott on request of Arnould of Scott.

SPECIAL PRESENTATION

Speaker Millen presented to the House, Ms. Carol Dozier, who introduced four visitors from the Federal Republic of Nigeria, Ms. Kindin Loskurima, Mr. Mustafa Madu, Mr. Usen Obong Edet and Mr. Joseph Efrong Nuambi. Ms. Dozier is accompanying the four who are chief administrative officers of their state legislatures in Nigeria which is in the process of changing from military to civilian rule and will have unicameral legislatures in the nineteen recently formed states.

The group is currently visiting the United States to observe the legislative process and Iowa is the fourth state to be visited. They will be visiting the Iowa Legislature through March 15.

The House rose and expressed its welcome.

Mr. Nuambi addressed the House briefly.

INTRODUCTION OF BILLS

House File 675, by committee on ways and means, a bill for an act to repeal the requirement that assessors file an annual agricultural land valuation report with the department of revenue.

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

House File 676, by committee on ways and means, a bill for an act relating to the tax on the services of parking and of test laboratories.

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

SENATE MESSAGES CONSIDERED

Senate File 29, a bill for an act relating to the enforcement of foreign judgments.

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

Senate File 89, a bill for an act relating to borrow pits.

Read first time and referred to committee on **natural resources**.

Senate File 93, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists.

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

Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council.

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

Senate File 247, a bill for an act relating to policies of boards of directors of school districts concerning the residence of employees.

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

Senate File 277, a bill for an act relating to separation distances of anaerobic lagoons used in animal feeding operations.

Read first time and **passed on file.**

Senate File 298, a bill for an act repealing the provision of law relating to documents required for the adoption of Vietnamese refugee children.

Read first time and referred to committee on **human resources.**

Senate File 314, a bill for an act to permit counties to sell property to the state department of transportation to be used for transportation purposes.

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

RULES SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend House Rule 36.8, relating to the filing of amendments, on House File 669 on March 12, 1979.

CONSIDERATION OF BILLS

Regular Calendar

House File 450, a bill for an act relating to the responsibilities of a person who acquires a railroad right-of-way outside of a city or contiguous to agricultural land in a city, was taken up for consideration.

Perkins of Greene offered amendment H-3361 filed by him. Division was requested as follows:

H-3361

1 Amend House File 450 as follows:

H-3361A

- 2 1. Page 1, line 8, by inserting after the word
- 3 "property" the words ", however, this requirement
- 4 may be waived by a written agreement with the adjoining

5 landowner if the agreement is revocable by either
6 party at any time".

H-3361B

7 2. Page 1, by striking lines 24 through 28.

Perkins of Greene moved the adoption of amendment
H-3361A.

Roll call was requested by Schnekloth of Scott and Oxley of
Linn.

On the question "Shall amendment H-3361A be adopted?"

The ayes were, 52:

Anderson, J.	Anderson, R.	Arnould	Avenson
Brandt	Bruner	Cochran	Conlon
Connolly	Connors	Crawford	Cusack
Davitt	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Hinkhouse
Hoffmann	Howell	Hullinger	Jay
Jesse	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Lloyd-Jones	Lura
Mullins	Norland	O'Kane	Pavich
Pellett	Pelton	Perkins	Ritsema
Sherzan	Shimanek	Smalley	Spear
Tofte	Tyrrell	Walter	Wells

The nays were, 32:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Corey	Crabb	Danker	De Groot
Hansen, I.	Harbor	Hibbs	Holt
Hummel	Husak	Larsen	Loenzen
Maulsby	McKean	Mepeke	Miller
Oxley	Poffenberger	Pope	Schnekloth
Schroeder	Shull	Stromer	Swearingen
Thompson	Van Maanen	West	Mr. Speaker

Absent or not voting, 16:

Bina	Binneboese	Byerly	Chiodo
Daggett	Egenes	Horn	Jochum
Krewson	Lind	Lonergan	Patchett
Rapp	Weiden	Welsh	Woods

Amendment H-3361A was adopted.

Perkins of Greene asked and received unanimous consent to withdraw amendment H-3361B.

Anderson of Audubon 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. 450)

The ayes were, 80:

Anderson, J.	Avenson	Bennett	Binneboese
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Hummel	Husak	Jay
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulshy	McKean	Menke
Miller	Mullins	Norland	Oxley
Patchett	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 15:

Anderson, R.	Arnould	Brandt	Chiodo
Connors	Cusack	Hall	Jesse
Jochum	Krewson	O'Kane	Pavich
Smalley	Spear	Walter	

Absent or not voting, 5:

Bina	Horn	Johnson, J.	Lind
Woods			

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

House File 669, a bill for an act requiring a life cycle cost analysis for certain government construction projects, was taken up for consideration.

Evans of Grundy offered the following amendment H-3364 filed by him from the floor and moved its adoption:

H-3364

- 1 Amend House File 669 as follows:
- 2 1. Page 1, line 18, by striking the word
- 3 "facility," and inserting in lieu thereof the words
- 4 "facility and".

Amendment H-3364 was adopted.

Howell of Floyd offered amendment H-3367 filed by him from the floor and requested division as follows:

H-3367

- 1 Amend House File 669 as follows:

H-3367A

- 2 1. Page 1, by inserting after line 20 the
- 3 following:
- 4 "7. "Life cycle cost analysis" includes, but is
- 5 not limited to the following elements:
- 6 a. The coordination and positioning of a major
- 7 facility on its physical site.
- 8 b. The number, position, and design of windows
- 9 and doors to be included in a major facility.
- 10 c. The amount and thermal characteristics of
- 11 insulation incorporated into the design of a major
- 12 facility.
- 13 d. The variable occupancy and operating con-
- 14 ditions of a major facility, including illumination
- 15 levels.
- 16 e. Other architectural features that affect
- 17 energy consumption."

H-3367B

- 18 2. Page 2, by inserting after line 20 the
- 19 following:
- 20 "Sec. 6. NEW SECTION. RULES. The energy
- 21 policy council established in section ninety-three
- 22 point two (93.2) of the Code shall administer

- 23 this Act and shall promulgate rules to implement
24 its provisions."

RULES 54 AND 79 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend Rule 54 for the committee on human resources subcommittee on mental health meeting and Rule 79 so that those members may be so recorded in their absence, provided the vote does not change the outcome.

Howell of Floyd moved the adoption of amendment H—3367A.

A non-record roll call was requested.

The ayes were 36, nays 53.

Amendment H—3367A lost.

Howell of Floyd moved the adoption of amendment H—3367B.

A non-record roll call was requested.

The ayes were 41, nays 45.

Amendment H—3367B lost.

Perkins of Greene offered the following amendment H—3369 filed by him from the floor and moved its adoption:

H—3369

- 1 Amend House File 669 as follows:
- 2 1. Page 2, line 11, by striking the words
- 3 "eligible for,".

Amendment H—3369 was adopted.

Doyle of Woodbury offered the following amendment H—3368 filed by him and Howell of Floyd from the floor and moved its adoption:

H-3368

- 1 Amend House File 669 as follows:
- 2 1. Page 2, line 16, by inserting after the
- 3 word "department." the following: "The provisions
- 4 of this Act also do not apply to the renovation of
- 5 a penal or correctional facility, mental health
- 6 institute or hospital-school owned by the state,
- 7 or jail."

A non-record roll call was requested.

The ayes were 35, nays 50.

Amendment H-3368 lost.

Perkins of Greene offered the following amendment H-3360 filed by him and moved its adoption:

H-3360

- 1 Amend House File 669 as follows:
- 2 1. Page 2, line 20, by inserting after the word
- 3 "Act" the words "and the construction or renovation
- 4 meets the requirements of the design".

Amendment H-3360 was adopted.

Smalley 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. 669)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Connolly	Corey
Crabb	Crawford	Cusack	Danker
Davitt	De Groot	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager

Krewson	Lageschulte	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, 6:

Conlon	Daggett	Doyle	Husak
Miller	Schnekloth		

Absent or not voting, 7:

Bina	Connors	Horn	Larsen
Lind	Pellett	Woods	

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

HOUSE FILE 481 WITHDRAWN

Avenson of Fayette asked and received unanimous consent to withdraw House File 481 from further consideration by the House.

PRESENTATION OF VISITORS

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

Thirty Honor Society students from Eagle Grove High School, Eagle Grove, Iowa and Emery County High School, Castledale, Utah, accompanied by Roger Williams and Mrs. Stauffer. By Stromer of Hancock.

On motion by Halvorson of Clayton the House was recessed at 12:20 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for a portion of the day on request of Thompson of Polk.

HOUSE RESOLUTION 21

By Hibbs and Diemer

- 1 *Whereas*, it is obvious to all that Iowa is the
 2 collegiate wrestling capitol of the United States, and
 3 *Whereas*, the wrestling teams at Iowa's three
 4 state universities have given the State of Iowa an
 5 undisputed national reputation for wrestling excellence;
 6 and
 7 *Whereas*, the University of Iowa wrestling team won
 8 the National Collegiate Athletic Association Champion-
 9 ship; and
 10 *Whereas*, the Iowa State University wrestling team
 11 was runnerup in the National Collegiate Athletic
 12 Association wrestling tournament; and
 13 *Whereas*, the University of Northern Iowa wrestling
 14 team had an outstanding season and made a fine showing
 15 in the national tournament; *Now Therefore*,
 16 *Be It Resolved By The House Of Representatives*,
 17 That the members of the Sixty-eighth General Assembly
 18 extend their heartiest congratulations to the University
 19 of Iowa wrestling team for their sportsmanship and
 20 athletic abilities which earned them the highest national
 21 honors and to Coach Dan Gable and all other coaches,
 22 faculty and administration, families and loyal fans who
 23 encouraged and supported the team during the regular
 24 season and the tournament; and
 25 *Be It Further Resolved*, That the members of the
 26 Sixty-eighth General Assembly commend the Iowa State
 27 University wrestling team, and Coach Harold Nichols, for
 28 their fine efforts in becoming runnersup in the national
 29 tournament; and
 30 *Be It Further Resolved*, That the members of the

Page 2

- 1 Sixty-eighth General Assembly commend the University
 2 of Northern Iowa wrestling team, and Coach Chuck Patton,
 3 for their fine showing in the national tournament; and
 4 *Be It Further Resolved*, That copies of this resolu-
 5 tion be sent to the University of Iowa, Iowa State Univer-
 6 sity and the University of Northern Iowa.

Laid over under Rule 30.

HOUSE RESOLUTION 22

By Shull

1 *Whereas*, The Indianola High School Girls' Track
2 team has won the first place in the State Indoor Track
3 meet; and

4 *Whereas*, in the pursuit of these accomplishments
5 the Indians displayed the utmost in spirit, citizenship,
6 dedication and athletic talent, *Now Therefore*,

7 *Be It Resolved By The House Of Representatives*,
8 That the members of the Sixty-eighth General Assembly
9 of the state of Iowa extend their heartiest congratu-
10 lations to the Indianola Indians and their coach Ronald
11 Werling for their excellence and sportsmanship, and to
12 the faculty and administration, families and all loyal
13 fans who encouraged and supported them; and

14 *Be It Further Resolved*, That copies of this
15 resolution be sent to Indianola High School and coach
16 Ronald Werling of Indianola High School, Indianola, Iowa.

Laid over under Rule 30.

MOTION TO RECONSIDER PREVAILS

(Senate File 70)

Shimanek of Jones called up for consideration the motion to reconsider Senate File 70, filed on March 2, 1979, and moved to reconsider the vote by which Senate File 70, a bill for an act to establish a senior judge system, passed the House on March 1, 1979, and was placed on its last reading.

A non-record roll call was requested.

The ayes were 69, nays 15.

The motion prevailed and the House reconsidered Senate File 70.

Jesse of Polk offered the following amendment H — 3306 filed by him and moved its adoption:

H — 3306

1 Amend Senate File 70, as passed by the Senate,
2 as follows:

3 1. Page 2, line 8, by striking the figures "1979"
4 and inserting in lieu thereof the figures "1977".

5 2. Page 2, by inserting after line 33 the follow-

6 ing:

7 "5. A judicial officer referred to in subsection
8 one (1) of this section who retired from office on
9 or after the date specified in subsection two (2) of
10 this section and before the effective date of this
11 Act may become a senior judge by filing with the clerk
12 of court not later than thirty days after the effective
13 date of this Act a written election in the form
14 specified by the court administrator. If prior to the
15 effective date of this Act the judicial officer filed
16 an election to practice law under section six hundred
17 five point twenty-five (605.25) of the Code, the
18 filing of an election under this subsection revokes
19 the election to practice law, and the judicial officer
20 shall divest himself or herself of any interest in
21 the practice of law within ninety days after the
22 effective date of this Act. For purposes of subsection
23 two (2), paragraph d, of this section only, the date
24 of retirement of a judicial officer who files an
25 election under the authority of this subsection shall
26 be deemed to be the effective date of this Act."

A non-record roll call was requested.

The ayes were 57, nays 23.

Amendment H—3306 was adopted.

Shimanek of Jones 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. 70)

The ayes were, 80:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Bruner	Clark, B.J.
Clark, J.H.	Cochran	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Groth
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, R.	Johnson, W.	Kirkenlager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Maulsby	McKean	Menke

Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Pope	Rapp	Ritsema
Schroöder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 12:

Branstad	Conlon	Danker	Egenes
Halvorson, R.N.	Johnson, J.	Lura	Pellett
Schnekloth	Tyrrell	Van Maanen	Woods

Absent or not voting, 8:

Arnould	Bina	Byerly	Chiodo
Gettings	Horn	Lind	Poffenberger

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

HOUSE FILES 89, 48, 134 AND 47 WITHDRAWN

Hansen of O'Brien asked and received unanimous consent to withdraw House Files 89, 48, 134 and 47 from further consideration by the House.

REREFERRED TO COMMITTEE ON WAYS AND MEANS

House File 173, a bill for an act relating to the elections required for imposing a hotel and motel tax, with report of committee recommending amendment and passage was taken up for consideration.

Krewson of Polk offered amendment H—3237 filed by the committee on cities on February 15, 1979 and found on page 574 of the House Journal and moved its adoption.

Amendment H—3237 was adopted.

Lorenzen of Scott rose on a point of order and invoked Rule 37 to rerefer House File 173 to the committee on ways and means.

The Speaker ruled the point well taken.

Krewson of Polk asked for unanimous consent to suspend Rule 37.

Objection was raised.

Krewson of Polk moved that Rule 37 be suspended for the consideration of House File 173.

A non-record roll call was requested.

The ayes were 34, nays 55.

The motion lost and House File 173 was rereferred to the committee on ways and means.

CONSIDERATION OF BILLS Regular Calendar

House File 198, a bill for an act relating to eligibility of municipal fire and police personnel for workers' compensation, with report of committee recommending passage, was taken up for consideration.

Tofte of Winneshiek offered the following amendment H-3247 filed by him and moved its adoption:

H-3247

- 1 Amend House File 198 as follows:
- 2 1. Page 1, by striking lines 4 and 5 and
- 3 inserting in lieu thereof the following:
- 4 "4. Persons entitled to benefits pursuant to
- 5 chapters four hundred ten (410) and four hundred
- 6 eleven (411) of the Code."

Amendment H-3247 was adopted.

Tofte of Winneshiek 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. 198)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.

Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Arnould	Bina	Evans	Horn
Husak	Larsen	Lind	Smalley
West			

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

House File 374, a bill for an act relating to the issuance and renewal of teacher certificates, with report of committee recommending amendment and passage was taken up for consideration.

Daggett of Taylor offered amendment H—3270 filed by the committee on education March 1, 1979 and found on page 731 of the House Journal and moved its adoption.

Amendment H—3270 was adopted.

Daggett of Taylor 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. 374)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenlager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Bina	Johnson, R.	Lind	West
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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 471, a bill for an act relating to local advisory councils for vocational education, with report of committee recommending amendment and passage was taken up for consideration.

Hansen of O'Brien offered amendment H—3271 filed by the committee on education on March 1, 1979 and found on page 731 of the House Journal and moved its adoption.

Amendment H—3271 was adopted.

Hansen 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. 471)

The ayes were, 98:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Biza

Lind

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

SENATE FILE 211 SUBSTITUTED FOR HOUSE FILE 318

Harbor of Mills asked and received unanimous consent to substitute Senate File 211 for House File 318.

Senate File 211, a bill for an act authorizing a corporation licensed under chapter five hundred thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems, was taken up for consideration.

Harbor of Mills 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. 211)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Davitt
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Pope
Rapp	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Walter	Welsh	West
Woods	Mr. Speaker		

The nays were, 8:

Daggett	Danker	De Groot	McKean
Pellett	Ritsema	Van Maanen	Welden

Absent or not voting, 6:

Bina	Clark, B.J.	Connors	Hullinger
Lind	Wells		

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

HOUSE FILE 318 WITHDRAWN

Harbor of Mills asked and received unanimous consent to withdraw House File 318 from further consideration by the House.

House File 395, a bill for an act relating to investments in obligations of the United States farm credit system by persons whose investments are restricted by the laws of this state, with report of committee recommending passage was taken up for consideration.

Crabb of Crawford 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. 395)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Bina	Chiodo	Clark, B.J.	Halvorson, R.N.
Lind	Miller	Oxley	Patchett

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Evans of Grundy for the remainder of the day on request of Smalley of Polk.

SENATE FILE 299 SUBSTITUTED FOR HOUSE FILE 396

Schroeder of Pottawattamie asked and received unanimous consent to substitute Senate File 299 for House File 396.

Senate File 299, a bill for an act to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements, 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. 299)

The ayes were, 69:

Anderson, J.	Anderson, R.	Bennett	Binneboese
Brandt	Branstad	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Doyle	Egenes	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Oxley	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Wells	West	Woods
Mr. Speaker			

The nays were, 27:

Arnould	Avenson	Bruner	Connolly
Connors	Cusack	Davitt	Gettings
Groth	Hall	Howell	Husak
Jay	Jesse	Jochum	Krewson
Lloyd-Jones	O'Kane	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Welden	Welsh	

Absent or not voting, 4:

Bina	Evans	Lind	Norland
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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 396 WITHDRAWN

Mullins of Kossuth asked and received unanimous consent to withdraw House File 396 from further consideration by the House.

House File 462, a bill for an act relating to valuation standards and nonforfeiture provisions for policies of insurance subject to chapters five hundred eight (508) and five hundred twelve (512) of the Code, with report of committee recommending amendment and passage was taken up for consideration.

Chiodo of Polk offered amendment H-3253 filed by the committee on commerce on February 26, 1979 and found on pages 682 through 684 of the House Journal and moved its adoption.

Amendment H-3253 was adopted.

Chiodo 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. 462)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly

Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Bina	Evans	Horn	Hullinger
Johnson, R.	Lind	Norland	

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

House File 460, a bill for an act to authorize life insurance companies and associations under chapter five hundred eleven (511) of the Code to invest in fixed interest-bearing obligations of certain financial companies and obligations of foreign governments, subject to certain limitations, with report of committee recommending amendment and passage was taken up for consideration.

Shull of Warren offered amendment H—3318 filed by the committee on commerce on March 6, 1979 and found on page 795 of the House Journal and moved its adoption.

Amendment H—3318 was adopted.

Shull of Warren 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. 460)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Webster on request of Groth of Buena Vista.

House File 387, a bill for an act providing for the suspension of a person's authority to operate a motor vehicle pursuant to an order of the district court rendered after the person fails to appear in

response to a citation which charges an offense involving the operation of a motor vehicle or fails to satisfy a subsequent judgment ordering payment of a fine, 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. 387)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lafsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Bina	Connors	Danker	Evans
Halvorson, R.N.	Horn	Norland	

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

House File 418, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another, with report of committee recommending amendment and passage was taken up for consideration.

Thompson of Polk asked and received unanimous consent to temporarily defer action on the committee amendment H-3351.

Chiodo of Polk asked and received unanimous consent to suspend the rules to offer amendment H-3370 filed by him and Jesse of Polk from the floor and moved its adoption:

H-3370

- 1 Amend House File 418 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "subdistricts" the words "established on the basis
- 4 of population and".

Amendment H-3370 was adopted.

Thompson of Polk offered amendment H-3351 filed by the committee on education on March 8, 1979 and found on page 844 of the House Journal.

Harbor of Mills offered the following amendment H-3374, to the committee amendment H-3351, filed by him from the floor:

H-3374

- 1 Amend the House amendment H-3351 to House File
- 2 418 as follows:
- 3 1. Page 1, by inserting after line 1 the words
- 4 "1. Page 1, line 21, by striking the word "ten"
- 5 and inserting in lieu thereof the word "twenty-five"."
- 6 2. Renumber as required by this amendment.

Perkins of Greene rose on a point of order that amendment H-3374 was not germane to amendment H-3351.

The Speaker ruled the point well taken and amendment H-3374 not germane to amendment H-3351.

Harbor of Mills asked for unanimous consent to defer action on House File 418.

Objection was raised.

Harbor of Mills moved that House File 418 be deferred until Wednesday, March 14 and that the bill retain its place on the weekly debate calendar.

Roll call was requested by Avenson of Fayette and Rapp of Black Hawk.

Rule 80 was invoked.

On the question "Shall the motion to defer and retain House File 418 prevail?"

The ayes were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Danker	De Groot	Diemer	Egenes
Halvorson, R.A.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hullinger	Hummel
Husak	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Oxley	Pellett
Poffenberger	Pope	Schnekloth	Schroeder
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 49:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Conlon	Connolly	Connors
Cusack	Daggett	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Hansen, I.	Hinkhouse	Horn	Howell
Jay	Jesse	Jochum	Johnson, J.
Krewson	Lloyd-Jones	Loneran	Norland
O'Kane	Patchett	Pavich	Pelton
Perkins	Rapp	Ritsema	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Walter	Wells	Welsh
Woods			

Absent or not voting, 3:

Bina

Evans

Halvorson, R.N.

The motion lost.

Thompson of Polk moved the adoption of the committee amendment H-3351.

Amendment H-3351 was adopted.

Thompson of Polk asked and received unanimous consent to withdraw amendment H-3245 (to page 1) filed by her on February 21, 1979.

Crawford of Story offered the following amendment H-3362 filed by him and moved its adoption:

H-3362

- 1 Amend House File 418 as follows:
- 2 1. Page 1, by inserting after line 28, the
- 3 following:
- 4 "A school district may adopt a different method of
- 5 electing directors not more often than once in a six
- 6 year period."

Amendment H-3362 was adopted.

Chiodo 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. 418)

The ayes were, 75:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crawford
Cusack	Daggett	Davitt	Dieleman
Diemer	Doyle	Gettings	Groth
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Menke	Miller	Mullins
Norland	O'Kane	Pavich	Perkins

Poffenberger	Pope	Rapp	Ritsema
Schneklath	Sherzan	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Walter	Welden	Welsh
West	Woods	Mr. Speaker	

The nays were, 18:

Anderson, J.	Bennett	Branstad	Crabb
Danker	De Groot	Egenes	Harbor
Hummel	Lind	Lura	Maulsby
McKean	Pellett	Pelton	Schroeder
Tyrrell	Van Maanen		

Absent or not voting, 7:

Bina	Evans	Halvorson, R.N.	Oxley
Patchett	Shimanek	Wells	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lloyd-Jones of Johnson for the remainder of the day on request of Brandt of Black Hawk.

House File 468, a bill for an act to provide a procedure for leasing a portion of a school building, with report of committee recommending amendment and passage was taken up for consideration.

Stromer of Hancock offered amendment H-3352 filed by the committee on education on March 8, 1979 and found on page 845 of the House Journal and moved its adoption.

Amendment H-3352 was adopted.

Halvorson of Clayton asked and received unanimous consent to suspend House Rule 2 to continue debate beyond 6:00 p.m.

Thompson 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. 468)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lonergan
Lorenzen	Lura	Maulsby	McKean
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Welsh	West
Woods	Mr. Speaker		

The nays were, 3:

Byerly	Menke	Schroeder
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Absent or not voting, 7:

Bina	Evans	Halvorson, R.N.	Lloyd-Jones
Oxley	Patchett	Wells	

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 53, an act to revise the list of substances designated as controlled substances under the uniform controlled substances act.

House File 108, an act making a corrective amendment to section seven (7) of House File five hundred forty-five (545) enacted during the 1978 Session of the General Assembly, relating to the purchase by the risk management division of insurance for the Board of Regents.

COMMUNICATION FROM IOWA CONSERVATION COMMISSION

There is on file in the office of the Chief Clerk a Combined Enforcement Report submitted by the Iowa Conservation Commission pursuant to House File 356, Sixty-seventh General Assembly.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 9, 1979. Had I been present, I would have voted "aye" on House Files 148, 304, and 650.

SWEARINGEN of Keokuk

I was necessarily absent from the House chamber on Friday, March 9. Had I been present I would have voted "aye" on House File 304.

GETTINGS of Wapello

I was necessarily absent from the House chamber on Friday afternoon, March 9, 1979. Had I been present, I would have voted "aye" on House Files 148 and 304.

SHULL of Warren

I was necessarily absent from the House chamber on March 12. Had I been present, I would have voted "aye" on House File 669.

LARSEN of Wapello

I was necessarily absent from the House chamber on March 12. Had I been present, I would have voted "aye" on amendment H-3306 to Senate File 70 and Senate File 70.

POFFENBERGER of Dallas

I was not able to be present for the afternoon debate on Friday, March 9 because I had an appointment with Dr. Bill Welsh of the Political Science Department of the University of Iowa. I would have voted "aye" on House Files 148 and 304.

CUSACK of Scott

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 215 Transportation

To authorize a county to levy property taxes to aid a municipal transit system and a public transportation company.

S.B. 216 Judiciary and Law Enforcement

Relating to Chapter 504A.44 Code of Iowa, effect of merger or consolidation, Iowa Non-Profit Corporation Act.

S.B. 217 Judiciary and Law Enforcement

To legalize proceedings taken by the city of Bellevue.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 372, a bill for an act abolishing the state prison industries advisory board.

Recommended **Do Pass**.

House File 381, a bill for an act requiring the use of understandable language and meaningful sequence of terms in consumer agreements, and providing a civil penalty.

Recommended **Amend and Do Pass**.

H-3363

1 Amend House File 381 as follows:

2 1. Page 1, by striking lines 4 through 11 and
3 inserting in lieu thereof the following:

4 "1. This Act applies to written agreements for
5 the following to be used for personal, family or
6 household purposes:

- 7 a. The sale or lease of real property.
- 8 b. The loan of money.
- 9 c. The sale or lease of property or services.
- 10 d. Insurance.

11 2. A written agreement subject to this Act that
12 is entered into by a person engaged in business as
13 a seller, lessor or lender must meet the following
14 requirements:"

15 2. Page 1, line 20, by inserting after the word
16 "agreement" the words "and who is damaged by the
17 agreement".

18 3. Page 1, line 35, by inserting after the word
19 "section." the words "This Act does not affect the
20 common law rule that an agreement will be construed
21 against the person who drafts the agreement or who
22 has the agreement drafted."

23 4. By renumbering as necessary.

Study Bill 177, to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

Recommended Do Pass.

COMMITTEE ON NATURAL RESOURCES

House File 275, a bill for an act relating to a penalty for taking deer in violation of law.

Recommended Amend and Do Pass.

H-3365

1 Amend House File 275 as follows:

2 1. Page 1, by striking lines 7 and 8.

House File 11, a bill for an act to provide a procedure for dissolution of certain drainage and levee districts and transfer of jurisdiction and control over the improvements and rights-of-way of a district so dissolved to another overlying district without reclassification of the latter district.

Recommended Do Pass.

Senate File 121, a bill for an act relating to the hunting of crows.

Recommended Amend and Do Pass.

H-3366

- 1 Amend Senate File 121 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by striking lines 16 and 17.

AMENDMENTS FILED

H-3371	H.F. 671	Pellett of Cass Hinkhouse of Cedar
H-3372	H.F. 466	Bruner of Story
H-3373	H.F. 582	Bruner of Story
H-3375	S.F. 158	Schnekloth of Scott
H-3376	S.F. 158	Schnekloth of Scott
H-3377	S.F. 158	Miller of Buchanan
H-3378	H.F. 671	Sherzan of Polk
H-3379	S.F. 158	Johnson of Linn
H-3380	S.F. 158	Johnson of Linn
		Egenes of Story
		Pelton of Clinton
		Jesse of Polk
		Walter of Pottawattamie
		Jochum of Dubuque
		Bruner of Story
		Rapp of Black Hawk
		Ritsema of Sioux

On motion by Halvorson of Clayton the House adjourned at 6:15 p.m., until 9:00 a.m., Tuesday, March 13, 1979.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day — Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 13, 1979

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

Prayer was offered by the Honorable Doug Ritsema, state representative from Sioux County.

The Journal of Monday, March 12, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Valin, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Howard on request of Halvorson of Clayton.

PRESENTATION OF VISITORS

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

Thirty-seven students from Clay Central High School, Royal, Iowa, accompanied by Mr. Schemmel and Dave Bensink. By Groth of Buena Vista.

Thirty-five senior government class students from Woodbine High School, Woodbine, Iowa, accompanied by Phil Hummell. By Crabb of Crawford.

PETITIONS FILED

The following petitions were received and placed on file:

By Dieleman of Marion, from two hundred twenty-three constituents; Gettings of Wapello, from eighty-five constituents; Lura

of Marshall, from six hundred thirty-nine constituents and Pellett of Cass, from sixty constituents, all opposing the increased number of rate increases now pending before the Iowa State Commerce Commission.

By Hansen of O'Brien, from twenty-two citizens of Maquoketa, Iowa, all favoring House File 128, which would give additional funding for gifted and talented children.

INTRODUCTION OF BILLS

House File 677, by committee on human resources, a bill for an act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

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

House File 678, by committee on state government, a bill for an act relating to procedures for nomination of candidates and for preparing for, conducting and canvassing elections, to registration of voters, and to other Iowa election laws and certain related sections of the Code, and prescribing penalties.

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

House File 679, by committee on state government, a bill for an act establishing a committee to review the regulation of occupations.

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

House File 680, by committee on labor and industrial relations, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans.

Read first time and **placed on the 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 on March 9, 1979, amended and passed the following bill in which the concurrence of the Senate was asked;

House File 81, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 81

H - 3381

- 1 Amend House File 81 as amended, passed and reprinted
- 2 by the House as follows:
- 3 1. Page 4, line 8, by striking the word
- 4 "fourteenth" and inserting in lieu thereof the word
- 5 "thirtieth".
- 6 2. Page 4, by striking lines 14 through 32 and
- 7 inserting in lieu thereof the following:
- 8 "b. The city has received within thirty days after
- 9 the holding of the first public hearing a valid
- 10 petition requesting a second public hearing containing
- 11 the signatures and current addresses of property
- 12 owners that represent at least ten percent of the
- 13 privately-owned property within the designated
- 14 revitalization area or;
- 15 c. The city has received within thirty days after
- 16 the holding of the first public hearing a valid
- 17 petition requesting a second public hearing containing
- 18 the signatures and current addresses of tenants that
- 19 represent at least ten percent of the residential
- 20 units within the designated revitalization area."
- 21 3. Page 5, lines 8 and 9, by striking the words
- 22 ", not to exceed twenty thousand dollars,".
- 23 4. Page 5, lines 11 and 12, by striking the words
- 24 ", not to exceed twenty thousand dollars,".
- 25 5. Page 5, by striking lines 13 through 22 and
- 26 inserting in lieu thereof the following: "one hundred
- 27 fifteen percent of the value added by the
- 28 improvements."
- 29 6. Page 5, line 23, by inserting after the word
- 30 "However," the following: "the amount of the actual
- 31 value added by the improvements which shall be used
- 32 to compute the exemption shall not exceed twenty
- 33 thousand dollars and".
- 34 7. Page 6, line 17, by inserting after the words
- 35 "on the" the word "actual".
- 36 8. Page 7, line 7, by inserting after the word
- 37 "least" the following: "the percent specified in
- 38 the plan adopted by the city pursuant to section two
- 39 (2) of this Act or if no percent is specified then
- 40 by at least".
- 41 9. Page 9, line 24, by inserting after the word
- 42 "application" the words "by making a physical review
- 43 of the property,".
- 44 10. Page 10, line 18, by striking the words "after

45 annual" and inserting in lieu thereof the words "with
 46 periodic".
 47 11. Page 10, by inserting after line 25 the
 48 following:
 49 "Sec. . . . NEW SECTION. Upon application to it
 50 and after verification by it, the city shall require

Page 2

1 compensation of at least one month's rent and may
 2 require compensation of actual relocation expenses
 3 be paid to a qualified tenant whose displacement is
 4 due to action on the part of a property owner to
 5 qualify for the benefits under this Act. However,
 6 the city may require the persons causing the qualified
 7 tenant to be displaced to pay all or a part of the
 8 relocation payments as a condition for receiving a
 9 tax exemption under section three (3) of this Act.
 10 "Qualified tenant" as used in this Act shall mean
 11 the legal occupant of a residential dwelling unit
 12 which is located within a designated revitalization
 13 area and who has occupied the same dwelling unit
 14 continuously since one year prior to the city's
 15 adoption of the plan pursuant to section two (2) of
 16 this Act."
 17 12. Page 12, by striking lines 31 through 35.
 18 13. Renumbering as required by this amendment.

ADOPTION OF HOUSE RESOLUTION 15

Pursuant to House Rule 31, the Speaker announced that House Resolution 15, congratulating the city of Grinnell, filed on February 22, 1979 and found on page 638 of the House Journal, was adopted by unanimous consent.

**REREFERRED TO COMMITTEE ON
 JUDICIARY AND LAW ENFORCEMENT
 (House Files 189 and 300)**

Halvorson of Clayton asked and received unanimous consent that House Files 189 and 300, presently on the regular calendar, be rereferred to the committee on judiciary and law enforcement.

**REREFERRED TO COMMITTEE ON CITIES
 (Senate File 75)**

Speaker Millen announced that Senate File 75, previously referred to the committee on state government, was rereferred to the committee on cities.

**REREFERRED TO COMMITTEE ON WAYS AND MEANS
(House File 448)**

Speaker Millen announced that House File 448, previously referred to the committee on cities, was rereferred to the committee on ways and means.

**MOTIONS TO RECONSIDER
(Senate File 211)**

I move to reconsider the vote by which Senate File 211 passed the House on March 12, 1979.

NORLAND of Worth

(Senate File 299)

I move to reconsider the vote by which Senate File 299 passed the House on March 12, 1979.

COCHRAN of Webster

HOUSE RESOLUTION 23

By Mullins

- 1 *Whereas*, the city of Emmetsburg in the County
2 of Palo Alto is about to hold its annual St. Patrick's
3 Day celebration on March 16, 17, and 18, 1979, and;
4 *Whereas*, the fine citizens of Emmetsburg are
5 preparing for a gala celebration, complete with a
6 Miss Shamrock Pageant, a parade, Irish dancing and
7 music; and
8 *Whereas*, Mr. William Kenneally, T.D., M.C.C., a
9 member of the Fianna Fail Party in the Irish Parlia-
10 ment will be honored by the citizens of Emmetsburg
11 at this celebration; and
12 *Whereas*, the winter of 1979 has been one of
13 despair for many Iowa farmers, school children, and
14 drivers of snowplows; may the wearing of the green on
15 St. Pat's Day usher in a spring of good hope; *Now*
16 *Therefore*,
17 *Be It Resolved By The House Of Representatives*,
18 That the members of the Sixty-eighth General Assembly
19 of the State of Iowa extend their heartiest congratula-
20 tions to the city of Emmetsburg in commemoration of its
21 nineteenth year of observance of St. Patrick's Day; and

22 *Be It Further Resolved*, That a copy of this resolution
 23 be forwarded to the mayor, members of the city council,
 24 and the citizens of Emmetsburg.

Laid over under Rule 30.

HOUSE RESOLUTION 24

By Connors and Sherzan

1 *Whereas*, The East High School Girls
 2 Basketball team has won the first place in
 3 the Girls' State High School Basketball
 4 Tournament; and
 5 *Whereas*, in the pursuit of these accomp-
 6 lishments the Scarlets displayed the utmost in
 7 spirit, citizenship, dedication and athletic
 8 talent, *Now Therefore*,
 9 *Be It Resolved By The House Of Represent-*
 10 *atives*, That the members of the Sixty-eighth
 11 General Assembly of the state of Iowa extend
 12 their heartiest congratulations to the East
 13 High Scarlets and their coaches, Bob and Sharon
 14 Hanson and assistant coach Gary Brand for their
 15 excellence and sportsmanship, and to the
 16 faculty and administration, families and all
 17 loyal fans who encouraged and supported them;
 18 and
 19 *Be It Further Resolved*, That copies of
 20 this resolution be sent to East High School and
 21 the coaches Bob and Sharon Hanson and assistant
 22 coach Gary Brand of East High School, Des Moines,
 23 Iowa.

Laid over under Rule 30.

HOUSE RESOLUTION 25

By Lorenzen

1 *Whereas*, The Bettendorf High School Girls'
 2 Basketball team placed second in the 1979 Iowa
 3 Girls' State High School Basketball tournament;
 4 and
 5 *Whereas*, in the pursuit of these accomp-
 6 lishments the Bulldogs displayed the utmost in
 7 spirit, sportsmanship and teamwork; *Now*
 8 *Therefore*,
 9 *Be It Resolved By The House Of Represent-*
 10 *atives*, That the members of the Sixty-eighth
 11 General Assembly of the state of Iowa extend
 12 their warmest congratulations to the Bettendorf
 13 Bulldogs and their coach, Bruce Rasmussen for
 14 their excellence and dedication and to the

15 faculty and administration, families and all
 16 loyal fans who encouraged and supported them;
 17 and
 18 *Be It Further Resolved*, That copies of
 19 this resolution be sent to Bettendorf High
 20 School, coach Bruce Rasmussen, and members
 21 of the Bettendorf Girls' Basketball team.

Laid over under Rule 30.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on March 13, 1979 and is on file in the office of the Chief Clerk:

Mr. David L. Wray, Chief Clerk
 House of Representatives
 Statehouse
 L O C A L

Dear Mr. Wray:

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

These include six (6) claims of a general nature. This supplements our filing on January 9, 1979.

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.

DAVID L. WRAY, Chief Clerk

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
5151-68-25	Clyde Hollins Newton, Iowa Clothing damaged in laundry	\$ 56.69	Disapproved
5230-68-25	George Murray Lakewood, Iowa Request for vacation pay	5,320.33	Disapproved

5231 68 25	Richard E. Haesemeyer Des Moines, Iowa Request for vacation pay	6,982.80	Disapproved
5232 68 25	Richard Twobig Sioux City, Iowa Outdated travel expense claim	14.25	Disapproved
5268 68 25	Treasurer of the United States U.S. Property & Fiscal Office Grimes, Iowa Binoculars and compass lost during maneuvers of the National Guard	198.31	Disapproved
5045 68 25	Larry Maurice Aldridge Rock Creek State Park Kellogg, Iowa Reimbursement of rental fees	150.00	Disapproved

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 218 State Government

Amending Section nineteen A point three (19A.3), State Merit System, applicability—exceptions, subsection eighteen (18), Code 1979.

S.B. 219 State Government

Amending Section one hundred seventy-four point two (174.2), County and District Fairs—Powers of society, third unnumbered paragraph, Code 1979.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 1:00 p.m., March 12, 1979

Convened: 1:05 p.m.

Adjourned: 3:00 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Clark of

Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Jesse, Johnson of Howard, Lloyd-Jones, Lonergan, Maulsby and Welsh.

Absent: Patchett, ranking member; Arnould, Pelton (arrived 1:20 p.m.), Rapp, Smalley (arrived 1:25 p.m.) and Walter (arrived 1:10 p.m.).

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

Committee Bill (Formerly House File 432), a bill for an act relating to the administration of an historical preservation district in a city having a zoning commission.

Recommended **Amend and Do Pass**.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 296, a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts.

Recommended **Do Pass**.

Fiscal note is not required.

House File 617, a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County relating to the sale of all of their interest in and to lot 3 of Block 1 of the original town of Cincinnati, Appanoose County, Iowa.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 164, relating to the compensation of shorthand reporters.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 165, correcting erroneous, inconsistent or obsolete provisions of the Code.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 182, to repeal Chapter 503, Code 1979.

Recommended **Amend and Do Pass**.

Fiscal note is not required.

Study Bill 193, relating to investigation of arson and providing immunity and penalties.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 208, relating to fraudulent practice to knowingly transfer or assign a property interest with the intent to obtain public assistance for which a person is not eligible and providing penalties.

Recommended **Do Pass**.

Fiscal note is not required.

COMMITTEE ON TRANSPORTATION

Senate File 204, a bill for an act relating to the registration and titling of non-resident vehicles and specially constructed or reconstructed vehicles.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3382	S.F. 277	Spear of Lee
H-3383	H.F. 512	Lind of Black Hawk
H-3384	H.F. 671	Van Maanen of Mahaska
H-3385	S.F. 158	Miller of Buchanan
H-3386	S.F. 158	Miller of Buchanan
H-3387	H.F. 674	Spear of Lee
H-3388	S.F. 158	Miller of Buchanan
H-3389	S.F. 158	Bruner of Story
H-3390	S.F. 277	Spear of Lee
H-3391	S.F. 158	Rapp of Black Hawk
H-3392	S.F. 158	Egenes of Story
		Rapp of Black Hawk
H-3393	H.F. 655	Rapp of Black Hawk
H-3394	H.F. 662	Krewson of Polk
		Crawford of Story
		Brandt of Black Hawk
		Bina of Scott

H—3395	S.F. 158	Miller of Buchanan Pavich of Pottawattamie
H—3396	S.F. 158	Egenes of Story

On motion by Halvorson of Clayton the House adjourned at 9:04 a.m., until 10:00 a.m., Wednesday, March 14, 1979.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day — Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 14, 1979

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

Prayer was offered by Monsignor William Blessington, pastor of St. Anthony's Parish, Dubuque, Iowa.

The Journal of Tuesday, March 13, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. F.M. Ashler, Hamburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brandt of Black Hawk, for a portion of the day, on request of Perkins of Greene; Hullinger of Decatur on request of Doyle of Woodbury.

PETITION FILED

The following petition was received and placed on file:

By Jochem of Dubuque, from thirty-eight constituents of district 19 opposing House Files 288 and 289.

INTRODUCTION OF BILLS

House File 681, by committee on cities, a bill for an act relating to the establishment of historical preservation districts in cities.

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

House File 682, by committee on judiciary and law enforcement, a bill for an act relating to investigation of arson and providing immunity and penalties.

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 on March 12, 1979, passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution 13, disapproving the department of agriculture's amendment to the Iowa administrative code 30 6.17(8) published in the Iowa administrative bulletin of November 1, 1978.

Also: That the Senate has on March 12, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 10, a bill for an act relating to furnishing prosthetic devices for injured workers.

Also: That the Senate has on March 12, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 235, a bill for an act to increase the maximum allowable value of merchandise prizes in a raffle conducted by a fair or qualified organization.

Also: That the Senate has on March 12, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 321, a bill for an act to increase the interest rate payable to redeem real estate sold for delinquent taxes.

Also: That the Senate has on March 12, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 344, a bill for an act relating to access to and use of solar energy.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO HOUSE FILE 10

H-3397

- 1 Amend House File 10 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 24, by inserting before the word
- 4 "is" the word "either".
- 5 2. Page 1, line 26, by inserting after the word
- 6 "section" the words "or is damaged in connection
- 7 with employee actions taken which avoid such per-
- 8 sonal injury".

CONSIDERATION OF BILLS Regular Calendar

House File 499, a bill for an act relating to the payment of hospitalization and medical benefits for certain retired employees of police and fire departments, with report of committee recommending amendment and passage was taken up for consideration.

Crabb of Crawford offered amendment H—3357 filed by the committee on cities on March 9 and found on page 868 of the House Journal and moved its adoption.

Amendment H—3357 was adopted.

Crabb of Crawford 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. 499)

The ayes were, 89:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lloyd-Jones	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Thompson	Tolte	Tyrrell	Van Maanen
Walter	Wells	Welsh	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Anderson, J.	Brandt	Hinkhouse	Hullinger
Larsen	Loneragan	Lura	Patchett
Swearingen	Welden	West	

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

Appropriations Calendar

House File 657, a bill for an act making a supplemental appropriation to the department of social services for aid to dependent children, was taken up for consideration.

Daggett of Taylor 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. 657)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lind	Lloyd Jones	Lorenzen
Lura	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schroeder
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 9:

Braustad	Danker	Lageschulte	Maulsby
Pellett	Schnekloth	Smalley	Tyrrell
Van Maanen			

Absent or not voting, 4:

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

Regular Calendar

Senate File 158, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties, with report of committee recommending amendment and passage was taken up for consideration.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

(Senate File 158 pending at recess.)

On motion by Halvorson of Clayton, the House was recessed at 12:16 p.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

QUORUM CALL

Roll call was requested by Kirkenlager of Des Moines and Harbor of Mills to determine that a quorum was present.

Present, 85:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hummel	Husak	Jay	Jochum
Johnson, R.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneran
Lorenzen	Lura	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Perkins	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	West	Woods
Mr. Speaker			

Absent, 15:

Avenson	Byerly	Doyle	Hanson, D.
Howell	Hullinger	Jesse	Johnson, J.
Johnson, W.	Maulsby	Menke	Patchett
Pelfon	Poffenberger	Welsh	

ADOPTION OF HOUSE RESOLUTION 23

Holt of Clay asked and received unanimous consent for the immediate consideration of House Resolution 23, relating to the St. Patrick's Day Celebration in Emmetsburg, filed on March 13, 1979 and found on pages 912 and 913 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Mullins of Kossuth escorted to the Speaker's station and presented to the House the Honorable William Kenneally, T.D., M.C.C., and member of the Fianna Fail Party of the Irish Parliament, from Dublin, Ireland.

The House rose and expressed its welcome. Mr. Kenneally responded with the following remarks:

Mr. Speaker and Honorable members of the House of the State of Iowa, I wish to thank you most sincerely for the privilege which you have extended to me and the courtesy which you have shown me here today in your Legislature.

It is a very great honor for me as a member of the Parliament of Ireland to bring to you greetings and good wishes on this occasion.

Even though we live many thousands of miles apart from each other, we have many things in common. Your people in the State of Iowa — your way of life — the type of work that you do — your general attitude to life — all these attributes — if one may describe them as such are very like those of ours in Ireland. Indeed the State of Iowa provides much of the food required to meet the needs of the people of the United States. We in Ireland — are the greatest providers of Agricultural produce for the 250 million people in the member states of the European Economic Community.

I am very happy to say to you I am journeying onwards to the City of Emmetsburg where I am to join with the people there in the festivities that are arranged to commemorate the Feast Day of St. Patrick the Patron Saint of Ireland. You are aware of the very active St. Patrick's Association in Emmetsburg and we in Ireland were truly delighted to have had a number of people from the Association visit Ireland last summer. We would welcome and invite any of you to visit us in Ireland.

Finally, may I wish you God Speed with your work and deliberations. Thank you again for the truly great warmth of your welcome — the wonderful friendship which you have shown me. Thank you.

PRESENTATION OF VISITORS

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

Sixty eighth grade students from Pleasantville High School, Pleasantville, Iowa, accompanied by Dennis Oliver. By Anderson of Jasper.

Thirty students from Missouri Valley High School, Missouri Valley, Iowa, accompanied by Joe Cathcart. By Danker of Pottawattamie.

RULE 39 SUSPENDED (House Files 679 and 680)

Halvorson of Clayton asked for unanimous consent to suspend Rule 39 to place House Files 679 and 680 on the weekly debate calendar.

Objection was raised.

Halvorson of Clayton moved that Rule 39 be suspended to place House Files 679 and 680 on the weekly debate calendar for the week of March 12, 1979.

A non-record roll call was requested.

The ayes were 54, nays 39.

The motion prevailed.

BUSINESS PENDING

The House resumed consideration of **Senate File 158**, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties.

Evans of Grundy offered amendment H—3358 filed by the committee on commerce on March 9 and found on pages 868 through 874 of the House Journal and requested division as follows:

H—3358A - page 1, lines 3 through 50; all of pages 2 and 3; page 4, lines 1 through 16 and page 6, lines 22 through 24.

H—3358B - page 4, lines 17 through 50; all of page 5 and page 6, lines 1 through 21.

Evans of Grundy offered the following amendment H—3401, to the committee amendment H—3358A, filed by Evans, Schroeder and Chiodo from the floor and moved its adoption:

H—3401

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:

- 3 1. Page 1, lines 22 and 23, by striking the words
 4 "one hundred twenty days" and inserting in lieu thereof
 5 the words "one year".

Amendment H—3401 was adopted.

Gettings of Wapello offered the following amendment H—3402, to the committee amendment H—3358A, filed by him from the floor:

H—3402

- 1 Amend the Committee amendment, H—3358, to Senate
 2 File 158 as follows:
 3 1. By striking page 3, line 33, through page 4,
 4 line 9.

Avenson of Fayette rose on a point of order that amendment H—3358 was not germane.

The Speaker ruled the point not well taken and amendment H—3358 germane.

Gettings of Wapello moved the adoption of amendment H—3402, to the committee amendment H—3358A.

Roll call was requested by Walter of Pottawattamie and Arnould of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—3402, to amendment H—3358A, be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Howell
Husak	Jay	Jochum	Krewson
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Pavich	Rapp
Schnekloth	Sherzan	Smalley	Spear
Walter	Wells	Welsh	Woods

The nays were, 55:

Anderson, J.	Bennett	Branstad	Chiodo
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellet	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schroeder	Shimaneck	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 5:

Davitt	Hullinger	Jesse	Patchett
Welden			

Amendment H—3402 lost.

Evans of Grundy moved the adoption of the committee amendment H—3358A, as amended.

Roll call was requested by Anderson of Jasper and Cusack of Scott.

On the question "Shall amendment H—3358A, as amended, be adopted?"

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen

Lind	Lloyd-Jones	Loneragan	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Spear

Absent or not voting, 4:

Branstad	Hullinger	Lorenzen	Welden
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Amendment H—3358A, as amended, was adopted.

Halvorson of Clayton moved that Rule 37 be suspended for the consideration of Senate File 158.

A non-record roll call was requested.

The ayes were 54, nays 38.

The motion prevailed.

Egenes of Story offered amendment H—3399, to the committee amendment H—3358B, filed by her and Rapp of Black Hawk from the floor. Division was requested as follows:

H—3399

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158, as amended, passed and reprinted by the
- 3 Senate as follows:

H—3399A

- 4 1. Page 4, line 33, by striking the word "two"
- 5 and inserting in lieu thereof the word "two".

H—3399B

- 6 2. Page 4, line 34, by striking the word "one".

7 3. Page 4, line 35, by inserting after the word
 8 "purposes," the following: "or any person borrowing
 9 money or obtaining credit in an amount less than two
 10 hundred thousand dollars, exclusive of interest, for
 11 business purposes, who expressly waives in a signed
 12 writing the protection afforded by the usury law."

Egenes of Story asked and received unanimous consent to withdraw amendment H-3399B.

Egenes of Story moved the adoption of amendment H-3399A, to the committee amendment H-3358B.

Roll call was requested by Egenes of Story and Avenson of Fayette.

On the question "Shall amendment H-3399A, to amendment H-3358B, be adopted?"

The ayes were, 41:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Egenes
Gettings	Hall	Halvorson, R.N.	Horn
Howell	Hummel	Husak	Jay
Jochum	Johnson, R.	Lloyd-Jones	Loneragan
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Poffenberger	Ritsema
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Anderson, R.	Bennett	Branstad
Chiodo	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Pellett	Pelton	Perkins	Pope
Schneklloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
West	Mr. Speaker		

Absent or not voting, 5:

Groth	Hullinger	Jesse	Rapp
Welden			

Amendment H—3399A lost.

Egenes of Story asked and received unanimous consent to withdraw amendment H—3396, to the committee amendment H—3358B, filed by her on March 13, 1979.

Anderson of Audubon offered the following amendment H—3403, to the committee amendment H—3358B, filed from the floor by Anderson of Audubon, Bennett, Branstad, Perkins, Evans, Pellett and Oxley:

H—3403

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as amended, passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 4, by inserting after line 44 the
- 5 following:
- 6 " Page 17, line 1, by striking the words
- 7 "which is" and inserting in lieu thereof the words
- 8 "which is of ten acres or less upon which is located"."

Chiodo of Polk rose on a point of order that amendment H—3403 was not germane to amendment H—3358B.

The Speaker ruled the point well taken and amendment H—3403 not germane to amendment H—3358B.

Schneklöth of Scott offered the following amendment H—3376, to the committee amendment H—3358B, filed by him and moved its adoption:

H—3376

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 4, by striking lines 45 through 50.
- 4 2. Page 5, by striking lines 1 through 7.

Roll call was requested by Patchett of Johnson and Cusack of Scott.

On the question "Shall amendment H—3376, to amendment H—3358B, be adopted?"

The ayes were, 8:

Bennett	Branstad	Johnson, W.	Lorenzen
Pellett	Schnekloth	Thompson	West

The nays were, 88:

Anderson, J.	Anderson, R.	Arnould *	Avenson
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	Walter
Wells	Welsh	Woods	Mr. Speaker

Absent or not voting, 4:

Horn	Hullinger	Jesse	Welden
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Amendment H—3376 lost.

Jochum of Dubuque offered the following amendment H—3398, to the committee amendment H—3358B, filed by him from the floor and moved its adoption:

H—3398

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. By striking page 4, line 45 through page 5,
- 4 line 20, and inserting in lieu thereof the following:
- 5 " Page 17, by striking lines 7 through 16

- 6 and inserting in lieu thereof the following:
 7 "2. a. The assessment and collection in connection
 8 with a loan of a loan origination fee, closing fee,
 9 commitment fee, loan processing fee or similar charge
 10 is prohibited. If any lender receives any".
 11 2. Page 6, line 6, by striking the words "paragraph
 12 a or b" and inserting in lieu thereof the words
 13 "paragraph b".

Roll call was requested by Jochum of Dubuque and Walter of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3398, to amendment H—3358B, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Connolly	Connors	Crawford	Cusack
Davitt	Dieleman	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Husak	Jay
Jesse	Jochum	Johnson, R.	Krewson
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 54:

Anderson, J.	Bennett	Branstad	Chiodo
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroöder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Cochran

Hullinger

Amendment H—3398 lost.

Howell of Floyd offered the following amendment H—3405, to the committee amendment H—3358B, filed by him from the floor and moved its adoption:

H—3405

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 4, line 47, by inserting after the word
- 4 "exceed" the words "the smaller of either".
- 5 2. Page 4, line 49, by inserting after the word
- 6 "dollars," the words "or two hundred fifty dollars."

A non-record roll call was requested.

The ayes were 43, nays 51.

Amendment H—3405 lost.

Johnson of Linn offered the following amendment H—3380, to the committee amendment H—3358B, filed by Johnson, et al., and moved its adoption:

H—3380

- 1 Amend the Commerce Committee amendment, H—3358,
- 2 to Senate File 158 as follows:
- 3 1. Page 4, line 49, by striking the words "twelve
- 4 thousand five hundred" and inserting in lieu thereof
- 5 the words "twenty-five thousand".

Roll call was requested by Rapp of Black Hawk and Johnson of Linn.

Rule 80 was invoked.

On the question "Shall amendment H—3380, to the committee amendment H—3358B, be adopted?"

The ayes were, 47:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.N.	Hanson, D.	Horn	Howell
Husak	Jay	Jesse	Jochum
Johnson, R.	Kirkenslager	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Räpp
Ritsema	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 50:

Anderson, J.	Bennett	Branstad	Chiodo
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Daggett	Danker	De.Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Mausby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Hinkhouse	Hullinger	Pelton
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Amendment H—3380 lost.

Poffenberger of Dallas offered the following amendment H—3400, to the committee amendment H—3358B, filed by her from the floor and moved its adoption:

H—3400

- 1 Amend amendment H—3358, to Senate File 158, as
- 2 passed by the Senate and reprinted, as follows:
- 3 1. Page 5, line 2, by striking the words "reason-
- 4 able estimate" and inserting in lieu thereof the words
- 5 "actual cost".
- 6 2. Page 5, line 24, by striking the words "reason-

7 able estimate" and inserting in lieu thereof the words
 8 "actual cost".
 9 3. Page 5, line 29, by striking the words "reason-
 10 able estimate" and inserting in lieu thereof the words
 11 "actual cost".

A non-record roll call was requested.

The ayes were 39, nays 53.

Amendment H—3400 lost.

Johnson of Linn offered the following amendment H—3379, to the committee amendment H—3358B, filed by him:

H—3379

1 Amend the Commerce Committee amendment, H—3358,
 2 to Senate File 158 as follows:
 3 1. Page 5, line 5, by striking the word "assumed"
 4 and inserting in lieu thereof the following: "assumed.
 5 A loan processing fee which is collected on any loan
 6 other than an assumption of a prior loan shall be
 7 apportioned between and collected with loan payments
 8 made by the borrower during the twelve-month period
 9 which follows the date of closing of the loan
 10 transaction".

Perkins of Greene asked for unanimous consent to defer action on amendment H—3379.

Objection was raised.

Johnson of Linn moved the adoption of amendment H—3379, to amendment H—3358B.

A non-record roll call was requested.

The ayes were 40, nays 52.

Amendment H—3379 lost.

Miller of Buchanan offered the following amendment H—3385, to the committee amendment H—3358B, filed by him and moved its adoption:

H—3385

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 5, line 5, by inserting after the word
- 4 "assumed" the following: "; provided, however, that
- 5 if the loan transaction is either the refinancing
- 6 of a prior loan or an assumption of an existing loan
- 7 and if the interest rate payable on the new loan or
- 8 the assumed balance is more than three-fourths of
- 9 one percent higher than the rate payable on the loan
- 10 balance being refinanced or assumed, then the lender
- 11 shall not collect a loan processing fee".

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H—3385 lost.

Bruner of Story offered the following amendment H—3404, to the committee amendment H—3358B, filed by him and Krewson of Polk from the floor and moved its adoption:

H—3404

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 5, line 9, by striking the word "A" and
- 4 inserting in lieu thereof the following: "If the
- 5 loan is a refinancing of a prior loan to the same
- 6 borrower, a loan processing fee shall not be collected
- 7 by the lender with respect to that amount of the loan
- 8 principal which is used to repay the outstanding
- 9 balance of the prior loan. A".

Roll call was requested by Perkins of Greene and Rapp of Black Hawk.

On the question "Shall amendment H—3404, to amendment H—3358B, be adopted?"

The ayes were, 47:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Cochran	Connolly	Connors
Crawford	Cusack	Davitt	Dieleman
Doyle	Egenes	Gettings	Groth

Hall	Halvorson, R.N.	Hanson, D.	Horn
Howell	Husak	Jay	Jesse
Jochum	Johnson, R.	Krewson	Lloyd-Jones
Loneragan	Lura	Miller	Mullins
O'Kane	Oxley	Pavich	Perkins
Rapp	Ritsema	Sherzan	Spear
Walter	Wells	Welsh	

The nays were, 49:

Anderson, J.	Bennett	Branstad	Chiodo
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Woods
Mr. Speaker			

Absent or not voting, 4:

Hinkhouse	Hullinger	Norland	Patchett
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Amendment H—3404 lost.

(Senate File '158 and the committee amendment H—3358B pending at adjournment.)

PRESENTATION OF VISITOR

Cochran of Webster presented to the House the Honorable Charles E. Knoblauch, Sr., former member of the House representing Carroll County.

REREFERRED TO COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT (House Files 296 and 617)

Halvorson of Clayton asked and received unanimous consent to refer **House Files 296 and 617**, presently on the **regular calendar**, to the committee on **judiciary and law enforcement**.

HOUSE RESOLUTION 26

By Bina, Lloyd-Jones, Walter and Lind

- 1 *Whereas*, the State of Iowa has among its
 2 residents outstanding artists in all aspects
 3 of the performing arts; and
 4 *Whereas*, in the past the Iowa General
 5 Assembly has demonstrated its interest in the
 6 arts by recognizing the importance of the arts
 7 in education and the general well-being of the
 8 citizens of the state; and
 9 *Whereas*, the Iowa General Assembly believes
 10 that it should continue to demonstrate its
 11 interest in the arts; *Now Therefore*,
 12 *Be It Resolved By The House Of Representatives*,
 13 That an artist in the performing arts be invited to
 14 perform in the House Chamber at an appropriate hour
 15 and day during the months of March and April; and
 16 *Be It Further Resolved*; That the artists shall
 17 be representative of all aspects of the performing
 18 arts, and shall be selected by the director of the
 19 Iowa State Arts Council.

Laid over under Rule 30.

SPONSORS ADDED

(House File 620)

Bina of Scott requested to be added as a sponsor of House File
 620.

(House Resolution 24)

The following representatives requested to be added as sponsors
 of House Resolution 24: Byerly of Polk, Chiodo of Polk and
 Woods of Polk.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber the morning
 of March 14. Had I been present, I would have voted "aye" on House
 Files 499 and 657.

LONERGAN of Boone

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 220 Transportation

Relating to the licensing of dealers, manufacturers and distributors of travel trailers.

S.B. 221 Natural Resources

Relating to the use of watercraft on artificial lakes under the jurisdiction of the Iowa state conservation commission.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 135, a bill for an act relating to the notice of oleomargarine in public eating places.

Recommended **Do Pass**.

Study Bill 156, increasing the maximum assessment established by the Iowa corn promotion board and relating to the use for political purposes of funds derived from the assessment.

Recommended **Do Pass**.

COMMITTEE ON COMMERCE

Study Bill 211, setting a time limit on the current prohibition of charges by telephone companies for telephone directory assistance and requiring the commerce commission to study the matter.

Recommended **Do Pass**.

Fiscal note is not required.

COMMITTEE ON NATURAL RESOURCES

Study Bill 185, to allow the director of the state conservation commission to contract for the removal of rough fish.

Doyle of Woodbury
 Connors of Polk
 Cochran of Webster
 Cusack of Scott
 Welsh of Dubuque
 Perkins of Greene
 Dieleman of Marion
 Clark of Cerro Gordo
 Hall of Linn
 Rapp of Black Hawk
 Oxley of Linn
 Miller of Buchanan
 Shull of Warren
 Pelton of Clinton
 Egenes of Story
 Spear of Lee
 Woods of Polk
 Lloyd:Jones of Johnson
 Gettings of Wapello
 Sherzan of Polk
 Holt of Clay
 Pope of Polk
 Jochum of Dubuque
 Wells of Linn
 Lura of Marshall
 Swearingen of Keokuk

H-3420

H.F. 662

H-3421

H.F. 664

Anderson of Jasper
 Byerly of Polk
 Pavich of Pottawattamie
 Connolly of Dubuque
 Binneboese of Plymouth
 Lageschulte of Bremer
 Howell of Floyd
 Bruner of Story
 Groth of Buena Vista
 Norland of Worth
 Arnould of Scott
 Chiodo of Polk
 Smalley of Polk
 Conlon of Muscatine
 Corey of Louisa
 Jay of Appanoose
 Jesse of Polk
 Patchett of Johnson
 Bina of Scott
 Lonergan of Boone
 Shimanek of Jones
 Poffenberger of Dallas
 Hansen of O'Brien
 Halvorson of Webster
 Johnson of Howard

Conlon of Muscatine

Perkins of Greene

On motion by Halvorson of Clayton the House adjourned at
 5:52 p.m., until 9:00 a.m., Thursday, March 15, 1979.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 15, 1979

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

Prayer was offered by the Reverend Dick Hogan, pastor of the First Christian Church of Council Bluffs, Council Bluffs, Iowa and Iowa-Nebraska Governor of Kiwanis.

The Journal of Wednesday, March 14, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kim Petersen, Newton, Iowa.

PRESENTATION OF VISITORS

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

Fifty-five eighth grade students from Pella Christian School, Pella, Iowa, accompanied by Mr. Jonker and Mr. Groothuis. By Dieleman of Marion.

Fifty fourth grade students from Monroe Elementary School, Monroe, Iowa, accompanied by Jesse Murphy. By Anderson of Jasper.

PETITIONS FILED

The following petitions were received and placed on file:

By Hinkhouse of Cedar, from ninety-three constituents of Tipton, Iowa asking the legislature to do something about the increase in their utility rates.

By Wells of Linn, from thirty-nine constituents opposing House File 288 and House File 289.

INTRODUCTION OF BILLS

House File 683, by committee on agriculture, a bill for an act increasing the maximum assessment established by the Iowa corn promotion board and relating to the use for political purposes of funds derived from the assessment.

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

House File 684, by committee on natural resources, a bill for an act to allow the director of the state conservation commission to contract for the removal of rough fish.

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

House File 685, by committee on judiciary and law enforcement, a bill for an act making it a fraudulent practice to knowingly participate in the transfer or assignment of a property interest with the intent to obtain public assistance for which a person is not eligible, granting the department of social services rule-making authority to implement this Act, and providing penalties.

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

House File 686, by committee on judiciary and law enforcement, a bill for an act relating to the compensation of shorthand reporters.

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

SENATE MESSAGES CONSIDERED

Senate File 235, a bill for an act to increase the maximum allowable value of merchandise prizes in a raffle conducted by a fair or qualified organization.

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

Senate File 321, a bill for an act to increase the interest rate payable to redeem real estate sold for delinquent taxes.

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

Senate File 344, a bill for an act relating to access to and use of solar energy.

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

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 on March 13, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, urging the governor to establish an Iowa Medal of Valor.

Also: That the Senate has on March 13, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 114, a bill for an act to delete from the statute governing county public hospitals the requirement that admissions to psychiatric department of certain county hospitals be limited to sixty days' duration.

Also: That the Senate has on March 13, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 284, a bill for an act authorizing cities and counties to issue revenue bonds for purpose of retiring the existing indebtedness of a health care facility or a voluntary nonprofit hospital.

Also: That the Senate has on March 13, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 333, a bill for an act relating to the operation of motorcycles and motorized bicycles.

Also: That the Senate has on March 13, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 339, a bill for an act relating to investigation of arson and providing immunity and penalties.

FRANK J. STORK, Secretary

HOUSE RESOLUTION 27

By Harbor and Byerly

- 1 *Be It Resolved by the House of Representatives,*
- 2 That Rule 36.8, page 13; line 29, of the Temporary
- 3 Rules of the House adopted by the Sixty-eighth
- 4 General Assembly be amended by inserting after the
- 5 word "amendments" the following: "and amendments
- 6 to bills substituted for by Senate Files containing
- 7 substantially identical title, language, subject
- 8 matter, purpose and intrasectional arrangement".

Laid over under Rule 30.

HOUSE RESOLUTION 28

By Danker

- 1 *Whereas,* the city of Harlan was platted in
- 2 August, 1858, and named for the Hon. James Harlan,
- 3 United States Senator from Iowa who was a good friend
- 4 of Dr. A. T. Ault, the man who first platted Harlan;
- 5 and
- 6 *Whereas,* the city of Harlan is now a modern
- 7 city which provides many services to its citizens
- 8 and to the surrounding rural community and yet
- 9 maintains its pride in its heritage; and

10 *Whereas*, the city of Harlan, Iowa, is nearing
11 the anniversary date of its incorporation, April 26,
12 1879; and

13 *Whereas*, the city of Harlan is nearing the
14 centennial celebration of its founding as a city;
15 *Now Therefore*,

16 *Be It Resolved by the House of Representatives*,
17 That the membership of the House of Representatives
18 of the Sixty-eighth General Assembly of the State
19 of Iowa extends its heartiest congratulations to the
20 city of Harlan, Iowa, in commemoration of the
21 centennial anniversary of its founding in this year
22 of 1979; and

23 *Be It Further Resolved*, That a copy of this
24 resolution be forwarded to the mayor, the city
25 council, and the citizens of Harlan who are in
26 charge of making preparations for the centennial
27 celebration.

Laid over under Rule 30.

On motion by Halvorson of Clayton the House was recessed at
9:17 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Harbor of Mills in
the chair.

Roll call was requested by Schroeder of Pottawattamie and
De Groot of Lyon to determine that a quorum was present.

Present: 68

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Clark, J.H.	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hinkhouse	Hoffmann	Horn
Howell	Hummel	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Lind	Lloyd-Jones	Lorenzen
Maulsby	McKean	Menke	Miller
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Rapp	Ritsema
Schroeder	Shimanek	Spear	Stromer
Thompson	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	Mr. Speaker (Harbor)

Absent: 32

Brandt	Byerly	Chiodo	Clark, B.J.
Cochran	Crabb	Danker	Doyle
Halvorson, R.N.	Hibbs	Holt	Hullinger
Husak	Jesse	Krewson	Larsen
Lonergan	Lura	Millen	Mullins
Patchett	Perkins	Poffenberger	Pope
Schneklath	Sherzan	Shull	Smalley
Swearingen	Tofte	West	Woods

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **Senate File 158**, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties, and the committee amendment H-3358B, found on pages 868 through 874 of the House Journal (H-3358B - page 4, lines 17 through 50; all of page 5 and page 6, lines 1 through 21):

Jochum of Dubuque offered the following amendment H-3423, to the committee amendment H-3358B, filed from the floor by Jochum, Johnson of Linn, Poffenberger, O'Kane, Groth, Egenes, Bruner, McKean and Mullins:

H.-3423

1 Amend the Committee amendment, H-3358, to Senate
 2 File 158 as follows:
 3 1. Page 5, line 20, by inserting after the word
 4 and figure "two (2)." the following:
 5 "A loan processing fee collected under the
 6 authority of this paragraph is deemed a reimburse-
 7 ment of expenses to be incurred by the lender in the
 8 event the obligation or an interest in the obliga-
 9 tion is subsequently sold by the lender. A fee
 10 which does not exceed the maximum amount permitted
 11 by this paragraph is conclusively presumed to be
 12 the amount of the lender's expenses in the event of
 13 sale. However, if the obligation or an interest in

14 the obligation has not been sold upon the expiration
 15 of thirty-six months after the date of closing the
 16 loan, the lender shall repay the entire amount of
 17 the fee without interest to the borrower within
 18 thirty days."

Speaker Millen in the chair at 1:24 p.m.

Jochum of Dubuque moved the adoption of amendment H—3423,
 to the committee amendment H—3358B.

Roll call was requested by Jochum of Dubuque and Cusack of
 Scott.

Rule 80 was invoked.

On the question "Shall amendment H—3423, to amend
 H—3358B, be adopted?"

The ayes were, 47:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Johnson, R.
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Mullins	Norland	O'Kane
Oxley	Pavieh	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Spear
Walter	Wells	Welsh	

The nays were, 50:

Anderson, J.	Avenson	Bennett	Branstad
Chiodo	Clark, J.H.	Conlon	Corey
Crabb	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs'	Hinkhouse
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
Menke	Pellett	Pelton	Pope
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Doyle

Patchett

Woods

Amendment H—3423 lost.

(Senate File 158 and the committee amendment H—3358B temporarily deferred.)

ADOPTION OF HOUSE RESOLUTION 24

Connors of Polk called up for consideration House Resolution 24, congratulating the East High School girls basketball team, filed on March 13, 1979 and found on page 913 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Connors of Polk escorted to the front of the rostrum and presented to the House members of the East High girls basketball team, accompanied by their coach, Bob Hansen, and presented them with an enrolled copy of House Resolution 24, congratulating them on their championship. Coach Hansen introduced the girls to the House.

The House rose and expressed its welcome.

The House resumed consideration of **Senate File 158**, a bill for an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety (1190), sections eleven (11) through twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to section five hundred thirty-five point two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties, and the committee amendment H—3358B.

Miller of Buchanan offered the following amendment H—3386, to the committee amendment H—3358B, filed by him and moved its adoption:

H-3386

- 1 Amend the Committee amendment, H-3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 5, line 33, by inserting after the period
- 4 the following: "Any costs which are collected by
- 5 the lender from the borrower under the authority of
- 6 this paragraph shall be itemized and disclosed to
- 7 the borrower. These costs, whether or not payable
- 8 from the proceeds of the loan, shall not be considered
- 9 part of the consideration for purposes of chapter
- 10 four hundred twenty-eight A (428A) of the Code."

Roll call was requested by Harbor of Mills and West of Marshall.

Rule 80 was invoked.

On the question "Shall amendment H-3386, to amendment H-3358B, be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Husak	Jay
Jesse	Jochum	Johnson, R.	Lloyd-Jones
Loneragan	McKean	Miller	Norland
O'Kane	Oxley	Pavich	Pelton
Perkins	Poffenberger	Rapp	Sherzan
Spear	Tofte	Walter	Wells
Welsh	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Danker
Patchett

Doyle

Hullinger

Larsen

Amendment H—3386 lost.

Schnekloth of Scott offered the following amendment H—3375, to the committee amendment H—3358B, filed by him:

H—3375

- 1 Amend the Committee amendment, H—3358, to Senate
- 2 File 158 as follows:
- 3 1. Page 5, by striking lines 35 through 50.
- 4 2. Page 6, by striking lines 1 through 6.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3375.

Avenson of Fayette called up for consideration the motion to reconsider amendment H—3423, filed by him from the floor, and moved to reconsider the vote by which amendment H—3423, to the committee amendment H—3358B, failed to be adopted by the House on March 15, 1979.

A non-record roll call was requested.

The ayes were 45, nays 51.

The motion lost.

Schroeder of Pottawattamie moved the adoption of the committee amendment H—3358B.

A non-record roll call was requested.

The ayes were 74, nays 15.

The committee amendment H—3358B was adopted.

Rapp of Black Hawk offered the following amendment H—3391 filed by him:

H—3391

1 Amend Senate File 158, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the following
4 sections:

5 "Section 1. Section ninety-seven point fifty-one
6 (97.51), subsection one (1), paragraph b, Code 1979,
7 is amended to read as follows:

8 b. Under the direction of the department and as
9 designated by the department, invest such portion
10 of said trust funds as are not needed for current
11 payment of benefits, in interest-bearing securities
12 issued by the United States, or interest-bearing bonds
13 issued by the state of Iowa, or bonds issued by
14 counties, school districts or general obligations
15 or limited levy bonds issued by municipal corporations
16 in this state as authorized by law, or in savings
17 accounts or time deposits in a bank or private bank
18 as defined in section five hundred twenty-four point
19 one hundred three (524.103) of the Code, association
20 as defined in section five hundred thirty-four point
21 two (534.2) of the Code, or credit union as defined
22 in section five hundred thirty-three point fifty-one
23 (533.51) of the Code; also to sell and dispose of
24 same when needed for the payment of benefits.

25 Sec. . Section ninety-seven A point seven
26 (97A.7), subsection two (2), paragraph b, Code 1979,
27 is amended to read as follows:

28 b. In a savings accounts account or time deposits
29 deposit in Iowa banks approved as depositories by
30 the executive council a bank or private bank as defined
31 in section five hundred twenty-four point one hundred
32 three (524.103) of the Code, association as defined
33 in section five hundred thirty-four point two (534.2)
34 of the Code, or credit union as defined in section
35 five hundred thirty-three point fifty-one (533.51)
36 of the Code.

37 Sec. . Section ninety-seven B point seven
38 (97B.7), subsection two (2), paragraph b, Code 1979,
39 is amended to read as follows:

40 b. Invest such portion of said trust funds as
41 in the judgment of the department are not needed for
42 current payment of benefits under this chapter in
43 interest-bearing securities issued by the United
44 States, or interest-bearing bonds issued by the state
45 of Iowa, or bonds issued by counties, school districts
46 or general obligations or limited levy bonds issued
47 by municipal corporations in this state as authorized
48 by law, ; or in a savings account or time deposit
49 in a bank or private bank as defined in section five
50 hundred twenty-four point one hundred three (524.103)

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1 of the Code; association as defined in section five
2 hundred thirty-four point two (534.2) of the Code,
3 or credit union as defined in section five hundred
4 thirty-three point fifty-one (533.51) of the Code;
5 or other investments authorized for life insurance
6 companies in this state including common stocks issued
7 or guaranteed by a corporation created or existing
8 under the laws of the United States or any state,
9 district, or territory thereof subject to the following
10 restrictions:

11 Sec. . . . Section two hundred sixty-two point
12 fourteen (262.14), subsection three (3), Code 1979,
13 is amended to read as follows:

14 3. Any portion of said funds may be invested in
15 bonds or other evidences of indebtedness issued,
16 assumed or guaranteed by the United States of America
17 or by any agency or instrumentality of the United
18 States; also in bonds of this state, and of counties,
19 cities, and school districts in Iowa; and in a savings
20 account or time deposit in a bank or private bank
21 as defined in section five hundred twenty-four point
22 one hundred three (524.103) of the Code, association
23 as defined in section five hundred thirty-four point
24 two (534.2) of the Code, or credit union as defined
25 in section five hundred thirty-three point fifty-one
26 (533.51) of the Code.

27 Sec. . . . Section three hundred two point twenty
28 (302.20), subsection three (3), Code 1979, is amended
29 by striking the subsection and inserting in lieu
30 thereof the following:

31 3. In a savings account or time deposit in a bank
32 or private bank as defined in section five hundred
33 twenty-four point one hundred three (524.103) of the
34 Code, association as defined in section five hundred
35 thirty-four point two (534.2) of the Code, or credit
36 union as defined in section five hundred thirty-three
37 point fifty-one (533.51) of the Code.

38 Sec. . . . Section four hundred ten point three
39 (410.3), Code 1979, is amended to read as follows:

40 410.3 INVESTMENT OF SURPLUS. The boards shall
41 have power to invest any surplus left in such funds,
42 respectively, at the end of the fiscal year, but no
43 part of the funds realized from any tax levy shall
44 be used for any purpose other than the payment of
45 pensions. Investments shall be in interest-bearing
46 bonds, notes, certificates, or other evidences of
47 indebtedness which are obligations of or guaranteed
48 by the United States, or in interest-bearing bonds
49 of the state of Iowa, of any county, township, or
50 municipal corporation of the state of Iowa; or in

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1 a savings account or time deposit in a bank or private
2 bank as defined in section five hundred twenty-four
3 point one hundred three (524.103) of the Code,
4 association as defined in section five hundred thirty-
5 four point two (534.2) of the Code, or credit union
6 as defined in section five hundred thirty-three point
7 fifty-one (533.51) of the Code. All such securities
8 shall be deposited with the treasurer of the boards
9 of trustees for safekeeping.

10 Sec. . Section four hundred eleven point seven
11 (411.7), subsection two (2), Code 1979, is amended
12 to read as follows:

13 2. The city treasurer may invest at the direction
14 of the respective boards of trustees such portion
15 of the several funds created by this chapter as in
16 the judgment of the respective boards are not needed
17 for current payment of benefits under this chapter
18 in interest-bearing securities, notes, certificates,
19 bonds, or other evidences of indebtedness issued or
20 guaranteed by the United States, or interest-bearing
21 bonds issued by the state of Iowa, or make deposits
22 of such deposit funds in banks as provided in chapter
23 453 a savings account or time deposit in a bank or
24 private bank as defined in section five hundred twenty-
25 four point one hundred three (524.103) of the Code,
26 association as defined in section five hundred thirty-
27 four point two (534.2) of the Code, or credit union
28 as defined in section five hundred thirty-three point
29 fifty-one (533.51) of the Code, or in bonds issued
30 by counties, school districts, or general obligation
31 or limited levy bonds issued by municipal corporations
32 in this state as authorized for investment by insurance
33 companies under section 511.8 and subject to all
34 limitations contained in said section. In the event
35 of loss on the redemption or sale of securities, where
36 invested as prescribed by law, neither the treasurer
37 nor the trustees shall be personally liable, but such
38 loss shall be charged against the retirement funds.
39 The city treasurer may sell any securities in such
40 funds and reinvest the proceeds in accordance with
41 the direction of the respective boards of trustees
42 when such action may be deemed advisable by the
43 trustees for the protection of said funds or the
44 preservation of the value of the investment.

45 Sec. . Section four hundred fifty-two point
46 ten (452.10), Code 1979, is amended to read as follows:

47 452.10 CUSTODY OF PUBLIC FUNDS—INVESTMENT OR
48 DEPOSIT. The treasurer of state and the treasurer
49 of each political subdivision shall at all times keep
50 all funds coming into their possession as public

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1 money, in a vault or safe, to be provided for that
2 purpose, or in some bank legally designated as a
3 depository for such funds. However, the treasurer
4 of state and the treasurer of each political
5 subdivision shall invest, unless otherwise provided,
6 any of the public funds not currently needed for
7 operating expenses in notes, certificates, bonds,
8 or other evidences of indebtedness which are
9 obligations of or guaranteed by the United States
10 of America or any of its agencies; or make time
11 deposits of such funds in banks as provided in chapter
12 453 and receive time certificates of deposit therefor;
13 or in savings accounts in banks may deposit funds
14 in a savings account or time deposit in a bank or
15 private bank as defined in section five hundred twenty-
16 four point one hundred three (524.103) of the Code,
17 association as defined in section five hundred thirty-
18 four point two (534.2) of the Code, or credit union
19 as defined in section five hundred thirty-three point
20 fifty-one (533.51) of the Code. The treasurer of
21 state may invest any of the funds in his the
22 treasurer's custody in any of the investments
23 authorized for the Iowa public employees' retirement
24 system in section 97B.7, subsection 2, paragraph "b"
25 except that investment in common stocks shall not
26 be permitted.

27 Sec. . Section four hundred fifty-three point
28 one (453.1), Code 1979, is amended to read as follows:
29 453.1 DEPOSITS IN GENERAL. All funds held in
30 the hands of the following officers or institutions
31 shall be deposited in banks as, associations as defined
32 in section five hundred thirty-four point two (534.2)
33 of the Code, or credit unions as defined in section
34 five hundred thirty-three point five (533.5) of the
35 Code, which are first approved by the appropriate
36 governing body as indicated: For the treasurer of
37 state, by the executive council; for the county
38 treasurer, recorder, auditor, sheriff, township clerk,
39 clerk of the district court, and judicial magistrate,
40 by the board of supervisors; for the city treasurer,
41 by the city council; for the county public hospital
42 or merged area hospital, by the board of hospital
43 trustees; for a memorial hospital, by the memorial
44 hospital commission; for a school corporation, by
45 the board of school directors; provided, however,
46 that the treasurer of state and the treasurer of each
47 political subdivision shall invest all funds not
48 needed for current operating expenses in time
49 certificates of deposit in banks listed as approved
50 depositories pursuant to this chapter or in investments

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1 permitted by section 452.10. The list of public
2 depositories and the amounts severally deposited
3 therein shall be a matter of public record. The term
4 "bank" means a bank or a private bank, as defined
5 in section 524.103.

6 Sec. . Section four hundred fifty-three point
7 two (453.2), Code 1979, is amended to read as follows:
8 453.2 APPROVAL - REQUIREMENTS. The approval of
9 a bank, private bank, association, or credit union
10 as a depository shall be by written resolution or
11 order which shall be entered of record in the minutes
12 of the approving board, and which shall distinctly
13 name each bank depository approved, and specify the
14 maximum amount which may be kept on deposit in each
15 such bank, private bank, association, and credit
16 union.

17 Sec. . Section four hundred fifty-three point.
18 three (453.3), Code 1979, is amended to read as
19 follows:

20 453.3 INCREASE CONDITIONALLY PROHIBITED. The
21 maximum amount so permitted to be deposited in a named
22 bank, private bank, association, or credit union shall
23 not be increased except with the approval of the
24 treasurer of state.

25 Sec. . Section four hundred fifty-three point
26 five (453.5), unnumbered paragraph two (2), Code 1979,
27 is amended by striking the unnumbered paragraph.

28 Sec. . Section four hundred fifty-three point
29 six (453.6), Code 1979, is amended to read as follows:
30 453.6 INTEREST RATE. Henceforth public deposits
31 shall be deposited with reasonable promptness and
32 shall except for time certificates of deposit be
33 evidenced by passbook entry by the depository legally
34 designated as depository for such funds. A committee
35 composed of the superintendent of banking, the
36 commissioner of insurance, and the treasurer of state
37 shall meet on or about the first of each month and
38 by majority action shall establish the rate to be
39 earned on state funds placed in time deposits during
40 the period until the next meeting of the committee.
41 State funds invested by the treasurer of state in
42 bank time certificates of deposit shall draw interest
43 at the rate so determined, effective on the date of
44 investment.

45 Public funds invested in bank time certificates
46 of deposit by a
47 public body or officer other than the treasurer of
48 state shall draw interest at rates to be determined
49 by the public body or officer and the bank, which
50 rates shall not be greater than the rate set under

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1 this section for state funds nor more than one percent
2 of interest below that rate.

3 Sec. . . . Section four hundred fifty-three point
4 seven (453.7), Code 1979, is amended to read as
5 follows:

6 453.7 INTEREST - WHERE CREDITED.

7 1. No bank or trust company shall, directly or
8 indirectly, by any device whatsoever, pay any interest
9 to any public officer on any demand deposit of public
10 funds, and no public officer shall take or receive
11 any interest whatsoever on demand deposits of public
12 funds. This provision shall not apply to interest
13 on time certificates of deposit for public funds.

14 2. Interest or earnings on investments and time
15 deposits made in accordance with the provisions of
16 sections 12.8, 452.10, 453.1 and 453.6 shall be
17 credited to the general fund of the governmental body
18 making the investment or deposit, with the exception
19 of specific funds for which investments are otherwise
20 provided by law, constitutional funds, or when legally
21 diverted to the state sinking fund for public deposits.
22 Funds so excepted shall receive credit for interest
23 or earnings derived from such investments or time
24 deposits made from such funds. Such interest or
25 earnings on any fund created by direct vote of the
26 people shall be credited to the fund to retire any
27 such indebtedness after which the fund itself shall
28 be credited.

29 Sec. . . . Section four hundred fifty-three point
30 nine (453.9), unnumbered paragraph one (1), Code 1979,
31 is amended to read as follows:

32 453.9 INVESTMENT OF SINKING FUNDS. The governing
33 council or board who by law are authorized to direct
34 the depositing of funds shall be authorized to direct
35 the treasurer or other designated financial officer
36 to invest any fund not an active fund needed for
37 current use and which is being accumulated as a sinking
38 fund for a definite purpose, the interest on which
39 is used for the same purpose, in savings accounts
40 or time deposits in banks or private banks as defined
41 in section five hundred twenty-four point one hundred
42 three (524.103) of the Code, associations as defined
43 in section five hundred thirty-four point two (534.2)
44 of the Code, or credit unions as defined in section
45 five hundred thirty-three point fifty-one (533.51)
46 of the Code, in the certificates or warrants provided
47 by section 454.19, or make time deposits of such funds
48 as provided in this chapter and receive time
49 certificates of deposit therefor, or in bonds or other
50 evidences of indebtedness issued, assumed, or

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1 guaranteed by the United States of America, or by
2 any agency or instrumentality thereof, or in local
3 certificates or warrants issued by any municipality
4 or school district within the county, or in municipal
5 or school district bonds which constitute a general
6 liability, and the treasurer or other officer when
7 so directed shall so invest such fund.

8 Sec. . Section four hundred fifty-three point
9 ten (453.10), Code 1979, is amended to read as follows:

10 453.10 INVESTMENT OF FUNDS CREATED BY ELECTION.

11 The governing council or board, who by law have control
12 of any fund created by direct vote of the people,
13 may invest any portion thereof not currently needed,
14 in bonds or other evidences of indebtedness issued,
15 assumed, or guaranteed by the United States of America,
16 or by any agency or instrumentality thereof, or make
17 time deposits of such funds and receive time
18 certificates of deposit therefor, or in savings
19 accounts in a savings or time deposit in a bank or
20 private bank as defined in section five hundred twenty-
21 four point one hundred three (524.103) of the Code,
22 an association as defined in section five hundred
23 thirty-four point two (534.2) of the Code, or credit
24 union as defined in section five hundred thirty-three
25 point fifty-one (533.51) of the Code. The treasurer
26 of state may invest in any of the investments
27 authorized for the Iowa public employees' retirement
28 system in section 97B.7, subsection 2, paragraph "b"
29 except that investment in common stocks shall not
30 be permitted. Interest or earnings on such funds
31 shall be credited as provided in section 453.7,
32 subsection 2.

33 Sec. . Section four hundred fifty-three point
34 twelve (453.12), Code 1979, is amended to read as
35 follows:

36 453.12 SERVICE CHARGE BY BANK. A bank, private
37 bank, association, or credit union may make reasonable
38 service charges with respect to the handling of any
39 public funds, but such service charges shall not be
40 greater than said bank customarily requires required
41 from other patrons for similar services.

42 Sec. . Section four hundred fifty-three point
43 fourteen (453.14), unnumbered paragraph one (1), Code
44 1979, is amended to read as follows:

45 The board of directors of a school corporation
46 may invest any portion of the proceeds of bonds issued
47 and not currently needed in United States government
48 bonds or make time deposits or deposits in savings
49 accounts in banks or private banks as defined in
50 section five hundred twenty-four point one hundred

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1 three (524.103) of the Code, associations as defined
2 in section five hundred thirty-four point two (534.2)
3 of the Code, or credit unions as defined in section
4 five hundred thirty-three point fifty-one (533.51)
5 of the Code, as provided in this chapter.

6 Sec. . Section four hundred fifty-four point
7 two (454.2), Code 1979, is amended to read as follows:
8 454.2 PURPOSE OF FUND. The purpose of said fund
9 shall be to secure the payment of their deposits to
10 state, county, township, municipal, and school
11 corporations having public funds deposited in demand,
12 savings, or time deposits in any bank or private bank
13 as defined in section five hundred twenty-four point
14 one hundred three (524.103) of the Code, association
15 as defined in section five hundred thirty-four point
16 two (534.2) of the Code, or credit union as defined
17 in section five hundred thirty-three point fifty-one
18 (533.51) of the Code in this state, when such deposits
19 have been made by authority of and in conformity with
20 the direction of the local governing council or board
21 which is by law charged with the duty of selecting
22 the depository banks for said the funds.

23 Sec. . Section four hundred fifty-four point
24 five (454.5), Code 1979, is amended to read as follows:
25 454.5 INVESTMENT OF FUNDS. All above a necessary
26 working balance shall be invested by the treasurer
27 of state in savings accounts or time deposits in a
28 bank or private bank as defined in section five hundred
29 twenty-four point one hundred three (524.103) of the
30 Code, association as defined in section five hundred
31 thirty-four point two (534.2) of the Code, or credit
32 union as defined in section five hundred thirty-three
33 point fifty-one (533.51) of the Code, in bonds or
34 other evidences of indebtedness issued, assumed, or
35 guaranteed by the United States of America or by any
36 agency or instrumentality thereof, or in any of the
37 investments authorized for the Iowa public employees'
38 retirement system in section 97B.7, subsection 2,
39 paragraph "b" except that investment in common stocks
40 shall not be permitted.

41 Sec. . Section four hundred fifty-four point
42 seven (454.7), Code 1979, is amended to read as
43 follows:
44 454.7 CERTIFICATION OF DEPOSITS. Whenever any
45 such depository bank, private bank, association, or
46 credit union is hereafter closed and placed in the
47 hands of a receiver or a trustee in bankruptcy or
48 has been heretofore or is hereafter reorganized,
49 either by reopening, sale to another bank, private
50 bank, association, or credit union of all or part

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1 of its assets with assumption of all or part of deposit
2 liability, consolidation with another bank, private
3 bank, association, or credit union, purchase of part
4 or all of assets of another bank, private bank,
5 association, or credit union, or merger with another
6 bank or banks, private bank, association, or credit
7 union, or in any manner authorized by the National
8 Bank Conservation Act, and especially section 207
9 of Title II thereof, or whenever any bank, private
10 bank, association, or credit union that has assumed
11 all or part of the deposit liability of a depository
12 bank, has heretofore or is hereafter reorganized in
13 any manner authorized by the National Bank Conservation
14 Act, and especially section 207 of Title II thereof,
15 and the amount of the several deposits of public
16 funds deposited therein by authority of and in
17 conformity with the direction of the legal governing
18 council or board which is by law charged with the
19 duty of selecting depository banks, private banks,
20 associations, and credit unions for said funds and
21 fixing the amount thereof has been ascertained and
22 fixed by an order of court or by the treasurer of
23 state if the matter is not pending in court, the
24 superintendent of banking state official having
25 supervision over the depository shall then certify,
26 such list of public deposits so approved by the court
27 to the treasurer of state and the state comptroller.

28 Sec. . Section four hundred fifty-four point
29 eleven (454.11), Code 1979, is amended to read as
30 follows:

31 454.11 ACCEPTANCE BY DEPOSITORIES. Any bank,
32 private bank, association, credit union, or trust
33 company which does not desire to serve as a depository
34 under this Act for public funds of any public body
35 may decline to do so by giving written notice to such
36 public body prior to June 15, 1937. Failure to give
37 such written notice shall constitute an acceptance
38 of the obligations imposed by this Act with regard
39 to all public funds on deposit July 1, 1937. The
40 acceptance by any bank, private bank, association,
41 credit union, or trust company of any public funds
42 for deposit on or after July 1, 1937, shall constitute
43 an acceptance of the obligations imposed by this Act
44 with regard to all such funds so accepted.

45 Sec. . Section four hundred fifty-four point
46 twelve (454.12), Code 1979, is amended to read as
47 follows:

48 454.12 LIABILITY OF DEPOSITORY. The failure on
49 the part of any depository bank to pay to the county
50 treasurer or the state treasurer of state any such

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1 assessments on or before the tenth day of the month
2 same becomes due, shall render such any bank, private
3 bank, association, or credit union liable for a ten
4 percent penalty on the amount of assessments due and
5 the same may be recovered by the state treasurer of
6 state or the county treasurer.

7 Sec. Section four hundred fifty-four point
8 fourteen (454.14), Code 1979, is amended to read as
9 follows:

10 454.14 AMOUNT OF DEPOSIT - DETERMINATION - EFFECT -

11 OBJECTIONS. Whenever or wherever any depository
12 bank or any bank, private bank, association, or credit
13 union which has assumed the whole or any part of the
14 deposit liability of a depository bank, has been
15 heretofore or is hereafter closed and placed in the
16 hands of a receiver or trustee in bankruptcy, or has
17 been heretofore or is hereafter reorganized, either
18 by reopening, sale to another bank, private bank,
19 association, or credit union of a part or all of its
20 assets with the assumption of all or part of deposit
21 liability, consolidation with another bank, private
22 bank, association, or credit union; purchase of part
23 or all of the assets of another bank, private bank,
24 association, or credit union, or merger with another
25 bank or banks, private bank, association, or credit
26 union, or in any manner authorized by the National
27 Bank Conservation Act and especially section 207 of
28 Title II thereof, the state of Iowa or any county,
29 city, school district or township, having public funds
30 on deposit therein, may by its governing board at
31 such board's discretion, by written resolution or
32 order, entered of record in the minutes of such board,
33 or executive council, as the case may be, order and
34 direct its treasurer or other officer to file with
35 and furnish to the treasurer of state a statement
36 of the amount of the deposit, a certified copy of
37 the resolution under which the deposit was made, and
38 any other information demanded by him the treasurer
39 of state. Unless either the bank, private bank,
40 association, or credit union liable therefor, or
41 claimant has paid all assessments due the state sinking
42 fund for public deposits to the date of its
43 reorganization, on that part of claimant's deposit
44 left in the bank, private bank, association, or credit
45 union the treasurer of state may refuse to file the
46 claim of such claimant.

47 But where deposits of state funds in national banks
48 only for which claims are on file, the payment of
49 interest or assessments on said deposits, as provided
50 in this chapter, from the time of the closing of said

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1 bank to the date of its reorganization, shall not
2 be required, and the claim may be paid without interest
3 or assessment for that period; and all claims
4 heretofore filed, payment of which has been denied
5 because of failure to pay the interest or assessments
6 for the time between the date of the closing of said
7 bank and its reopening, as in this chapter provided,
8 shall be reconsidered and, if approved, shall be paid
9 without the payment of such interest or assessments.

10 With the advice of the attorney general, the
11 treasurer of state shall determine the amount thereof
12 deposited by authority of and in conformity with the
13 direction of the legal governing council or board
14 and send a copy of his or her decision by certified
15 mail to the claimant and to the bank, private bank,
16 association, or credit union and deliver a copy to
17 the superintendent of banking state official having
18 supervision over the depository, which decision shall
19 be final except as to such depositors as within ten
20 days after the mailing of such decision make objections
21 to such decision in writing to the treasurer of state,
22 and shall have the same force and effect as the court
23 order and certificate of the superintendent of banking
24 state official having supervision over the depository,
25 as provided in this chapter.

26 If objections are made within the time and as above
27 provided, the same shall be forwarded to the receiver,
28 and shall be presented and heard and determined by
29 the court as otherwise provided. In the event a
30 receiver or trustee in bankruptcy has not been
31 appointed, the claimant may present the objections,
32 if made within the manner and time provided, to any
33 court of competent jurisdiction by any appropriate
34 action. If objections are not made as above provided,
35 the decision of the treasurer of state shall be final.

36 Sec. . Section four hundred fifty-four point
37 fifteen (454.15), Code 1979, is amended to read as
38 follows:

39 454.15 ORDER OF PAYMENT. It shall be the duty
40 of the superintendent of banking state official having
41 supervision over the depository to direct the order
42 in which such deposits shall be paid.

43 Sec. . Section four hundred fifty-four point
44 sixteen (454.16), Code 1979, is amended to read as
45 follows:

46 454.16 CERTIFICATION OF CLAIMS. As soon as the
47 money is available in such sinking fund the
48 superintendent of banking state official having
49 supervision over the depository shall certify to the
50 state comptroller the amount due the several depositors

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1 of public funds as shown by such certified list and
2 showing the order in which they shall be paid.
3 Sec. . Section four hundred fifty-four point
4 seventeen (454.17), Code 1979, is amended to read
5 as follows:
6 454.17 WARRANT – PAYMENT – SUBROGATION. Upon such
7 certification the state comptroller shall issue his
8 a warrant upon such sinking fund in the hands of the
9 treasurer of state payable to such depositor of public
10 funds in the order certified by the superintendent
11 of banking state official having supervision over
12 the depository, and the same shall be paid to such
13 depositor of public funds, and the treasurer of state
14 shall thereupon be subrogated to all of the title,
15 interest, and rights of the depositor in such deposit
16 of public funds or segregated trust fund and shall
17 share in the distribution of the assets of such bank,
18 private bank, association, credit union, or trust
19 fund ratably with the other depositors and the sum
20 received from such distribution shall be paid by the
21 receiver or trustees to the treasurer of state and
22 deposited in said sinking fund. Until the depositor
23 has been paid in full from the sinking fund, it may
24 share in the distribution of the assets of the bank,
25 private bank, association, credit union, or trust
26 fund.”
27 2. By numbering and renumbering sections as
28 necessary.

Schroeder of Pottawattamie rose on a point of order that amendment H – 3391 was not germane.

The Speaker ruled the point well taken and amendment H – 3391 not germane.

Rapp of Black Hawk moved that the rules be suspended to consider amendment H – 3391.

Roll call was requested by Rapp of Black Hawk and Walter of Pottawattamie.

On the question “Shall the rules be suspended to consider amendment H – 3391?”

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Egenes	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lonergan
Miller	Norland	O'Kane	Oxley
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 49:

Bennett	Branstad	Clark, J.H.	Conlon
Corey	Crabb	Crawford	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekieth	Schroeder	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

Absent or not voting, 10:

Anderson, J.	Chiodo	Clark, B.J.	Daggett
Danker	Doyle	Lloyd-Jones	Patchett
Shimaneck	Welden		

The motion lost.

Egenes of Story offered the following amendment H—3392 filed by her and Rapp of Black Hawk and moved its adoption:

H—3392

- 1 Amend Senate File 158 as follows:
- 2 1. Page 1, by striking lines 23 through 28,
- 3 and inserting in lieu thereof the words "pursuant
- 4 to this chapter".
- 5 2. By renumbering as necessary.

Roll call was requested by Rapp of Black Hawk and Groth of Buena Vista.

Rule 80 was invoked.

On the question "Shall amendment H—3392 be adopted?"

The ayes were, 44:

Arnould	Bina	Binneboese	Brändt
Bruner	Byerly	Chiodo	Cochran
Conlon	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd Jones
Loneragan	Lorenzen	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 51:

Anderson, J.	Anderson, R.	Bennett	Branstad
Clark, J.H.	Corey	Crabb	Daggett
De Groot	Diemer	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenlager
Krewson	Lageschulte	Larsen	Lind
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Avenson	Clark, B.J.	Danker	Doyle
Perkins			

Amendment H—3392 lost.

Anderson of Audubon asked and received unanimous consent to withdraw amendment H-3418 (to page 16) filed by him on March 14, 1979.

Bruner of Story asked and received unanimous consent to withdraw amendment H—3389 (to page 17) filed by him on March 13, 1979.

Johnson of Linn asked and received unanimous consent to withdraw amendment H—3238 (to page 17) filed by him on February 20, 1979.

Miller of Buchanan offered the following amendment H—3388 filed by him and moved its adoption:

H—3388

- 1 Amend Senate File 158, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 17, by striking line 31 and inserting
- 4 in lieu thereof the following: "a. Credit reports."
- 5 2. Page 17, line 32, by striking the numeral "(2)"
- 6 and inserting in lieu thereof the numeral "(1)".
- 7 3. Page 17, line 33, by striking the numeral "(3)"
- 8 and inserting in lieu thereof the numeral "(2)".
- 9 4. Page 17, line 34, by striking the numeral "(4)"
- 10 and inserting in lieu thereof the numeral "(3)".
- 11 5. Page 17, line 35, by striking the numeral "(5)"
- 12 and inserting in lieu thereof the numeral "(4)".
- 13 6. Page 18, line 1, by striking the numeral "(6)"
- 14 and inserting in lieu thereof the numeral "(5)".
- 15 7. Page 18, line 2, by striking the numeral "(7)"
- 16 and inserting in lieu thereof the numeral "(6)".
- 17 8. Page 18, line 3, by striking the numeral "(8)"
- 18 and inserting in lieu thereof the numeral "(7)".
- 19 9. Page 18, line 4, by striking the numeral "(9)"
- 20 and inserting in lieu thereof the numeral "(8)".

A non-record roll call was requested.

The ayes were 42, nays 49.

Amendment H—3388 lost.

Miller of Buchanan offered the following amendment H—3240 filed by him:

H—3240

- 1 Amend Senate File 158 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 18, by inserting after line 25 the
- 4 following:
- 5 "e. A lender shall not refuse to allow a
- 6 prospective borrower to assume a prior loan on a
- 7 single-family or two-family dwelling if the original

8 borrower has repaid at least forty percent of the
9 principal amount of the prior loan, unless the
10 prospective borrower is a substantially greater credit
11 risk than the original borrower under the loan to
12 be assumed. The burden of proving substantially
13 greater risk is on the lender. The lender may require
14 the original borrower and the prospective borrower
15 to submit jointly an application which discloses the
16 financial condition of each. Both the original
17 borrower and the prospective borrower shall sign the
18 application and shall be provided a copy of the
19 application. The lender shall disclose to each in
20 writing the basis for any refusal to allow the
21 assumption. If a lender violates this paragraph,
22 the borrower is entitled to recover actual damages,
23 plus attorney fees and costs incurred in any action
24 necessary to effect recovery."

Conlon of Muscatine rose on a point of order that amendment H-3240 contains subject matter previously considered and was, therefore, not in order.

The Speaker ruled the point not well taken and amendment H-3240 germane.

Miller of Buchanan moved the adoption of amendment H-3240.

A non-record roll call was requested.

The ayes were 43, nays 49.

Amendment H-3240 lost.

Miller of Buchanan offered the following amendment H-3377 filed by him and moved its adoption:

H-3377

1 Amend Senate File 158 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 19, by inserting after line 5 the
4 following:
5 "A lender shall not use an appraisal for any purpose
6 in connection with making a loan under this section
7 if the appraisal is performed by a person who is
8 employed by or affiliated with any person receiving
9 a commission or fee from the seller of the property.
10 If a lender violates this paragraph the borrower is

11 entitled to recover any actual damages plus the costs
 12 paid by the borrower, plus attorney fees incurred
 13 in an action necessary to effect recovery."

Amendment H—3377 was adopted.

Miller of Buchanan offered the following amendment H—3241
 filed by him and Pavich of Pottawattamie:

H—3241

1 Amend Senate File 158 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 21, by inserting after line 20 the
 4 following:

5 "Sec. . . Acts of the Sixty-seventh General
 6 Assembly, 1978 Session, chapter one thousand one
 7 hundred ninety (1190), section twenty (20), is
 8 reenacted, and is the law of this state on and after
 9 the effective date of this Act, notwithstanding any
 10 contrary provision of Acts of the Sixty-seventh General
 11 Assembly, 1978 Session, chapter one thousand one
 12 hundred ninety (1190).

13 Sec. . . Acts of the Sixty-seventh General
 14 Assembly, 1978 Session, chapter one thousand one
 15 hundred ninety (1190), section twenty (20), is amended
 16 effective July 1, 1979, to read as follows:

17 **NEW SECTION. MOBILE HOME LOANS CREDIT TRANSACTIONS.**

18 Notwithstanding the maximum finance charges specified
 19 in this chapter of the Code, the maximum finance
 20 charge which may be charged for money loaned to a
 21 borrower who in a consumer credit transaction in which
 22 the debtor furnishes as security for all or part of
 23 the loan amount financed, a mobile home occupied or
 24 to be occupied by the borrower debtor as a dwelling
 25 shall be as follows:

26 1. For a new mobile home, three percentage points
 27 per year above the usury rate in effect under section
 28 five hundred thirty-five point two (535.2) of the
 29 Code on the day the loan is made, calculated according
 30 to the actuarial method, on the unpaid balance of
 31 the amount financed.

32 2. For a used mobile home, five percentage points
 33 per year above the usury rate in effect under section
 34 five hundred thirty-five point two (535.2) of the
 35 Code on the day the loan is made, calculated according
 36 to the actuarial method, on the unpaid balance of
 37 the amount financed, four percentage points above the
 38 usury rate which is in effect under section five
 39 hundred thirty-five point two (535.2), subsection

40 three (3), paragraph a of the Code on the day the
 41 transaction is executed, calculated according to the
 42 actuarial method, on the unpaid balance of the amount
 43 financed. For purposes of this section, the amount
 44 financed shall not be considered in determining whether
 45 a sale or loan is a consumer credit transaction,
 46 notwithstanding section five hundred thirty-seven
 47 point one thousand three hundred one (537.1301),
 48 subsection thirteen (13), paragraph a, subparagraph
 49 five (5), of the Code, or section five hundred thirty-
 50 seven point one thousand three hundred one (537.1301),

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1 subsection fifteen (15), paragraph a, subparagraph
 2 five (5), of the Code.”
 3 2. Page 22, by striking lines 7 through 10 and
 4 inserting in lieu thereof the following: “on the
 5 effective date of this Act.”
 6 3. Page 22, line 14, by striking the word and
 7 figure “nineteen (19)” and inserting in lieu thereof
 8 the words and figures “nineteen (19), twenty (20)”.
 9 4. By renumbering sections of the bill and
 10 correcting internal references as necessary.

Evans of Grundy rose on a point of order that amendment H-3241 was not germane.

The Speaker ruled the point not well taken and amendment H-3241 germane.

Miller of Buchanan moved the adoption of amendment H-3241.

Roll call was requested by Pavich of Pottawattamie and Rapp of Black Hawk.

Rule 80 was invoked.

On the question “Shall amendment H-3241 be adopted?”

The ayes were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Hullinger	Husak

Jay	Jesse	Jochum	Johnson, R.
Kirkenslager	Lageschulte	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Perkins
Rapp	Sherzan	Shull	Spear
Van Maanen	Walter	Wells	Welsh
Woods			

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Krewson	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Welden
West	Mr. Speaker		

Absent or not voting, 1:

Doyle

Amendment H—3241 lost.

Miller of Buchanan offered the following amendment H—3395 filed by him and Pavich of Pottawattamie:

H—3395

- 1 Amend Senate File 158 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 21, by inserting after line 20 the
- 4 following:
- 5 "Sec. . . . NEW SECTION. RESTRAINTS OF TRADE—
- 6 MOBILE HOMES.
- 7 1. A lender shall not collect a fee or charge
- 8 directly or indirectly from a person who is engaged
- 9 in the business of selling mobile homes as defined
- 10 in section one hundred thirty-five D point one (135D.1)
- 11 of the Code for the purpose of reserving or committing
- 12 funds of the lender for use as purchase money loans
- 13 to purchasers of mobile homes or for use in the
- 14 purchase from the seller of commercial paper arising
- 15 from sales of mobile homes. If a lender collects

16 a fee which is prohibited by this subsection, the
17 borrower or buyer of the mobile home has an action
18 to recover the prohibited fee or charge, plus attorney
19 fees and costs incurred in an action necessary to
20 effect recovery.

21 2. A person who is engaged in the business of
22 selling mobile homes, as defined in section one hundred
23 thirty-five D point one (135D.1) of the Code, shall
24 not enter into a contract with any person directly
25 or indirectly for the purpose of leasing or reserving
26 real property located in a mobile home park as defined
27 in section one hundred thirty-five D point one (135D.1)
28 of the Code for the use of purchasers of mobile homes.
29 This subsection does not apply to a lease or purchase
30 agreement between a person licensed under chapter
31 one hundred thirty-five D (135D) of the Code as
32 operator of a mobile home park and a tenant of the
33 mobile home park for which the license is issued.

34 A contract which violates this subsection is voidable
35 in an action under subsection four (4) of this section.

36 3. A person who is required to be licensed under
37 section one hundred thirty-five D point two (135D.2)
38 of the Code shall not enter into a contract with a
39 person directly or indirectly for the purpose of
40 leasing or reserving real property located in the
41 mobile home park for which the license is issued for
42 the use of existing or future customers of a person
43 who is engaged in the business of selling mobile
44 homes, as defined in section one hundred thirty-five
45 D point one (135D.1) of the Code. This subsection
46 does not apply to a lease or purchase agreement between
47 the licensee and a tenant of the mobile home park.
48 A contract which violates this subsection is voidable
49 in an action under subsection four (4) of this section.

50 4. A purchaser of a mobile home which is to be

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1 used as the dwelling of the purchaser who is aggrieved
2 by a violation of subsections two (2) or three (3)
3 of this section, or a person who is engaged in the
4 business of selling mobile homes as defined in section
5 one hundred thirty-five D point one (135D.1) of the
6 Code and who is aggrieved by a violation of subsections
7 two (2) or three (3) of this section, may bring an
8 equitable action in the district court of the county
9 in which the mobile home park is located to have the
10 contract declared void, and to obtain such other
11 equitable relief as may be necessary to prevent or
12 remedy violations of subsections two (2) or three
13 (3) of this section. The plaintiff is entitled to

14 recover a reasonable attorney's fee if a violation
 15 is shown.
 16 5. A purchaser of a mobile home which is to be
 17 used as the dwelling of the purchaser who is aggrieved
 18 by a violation of subsections two (2) or three (3)
 19 of this section, or a person who is engaged in the
 20 business of selling mobile homes as defined in section
 21 one hundred thirty-five D point one (135D.1) of the
 22 Code and who is aggrieved by a violation of subsections
 23 two (2) or three (3) of this section, has an action
 24 to recover damages incurred as a result of the
 25 violation, and is entitled to recover a reasonable
 26 attorney's fee if a violation is shown."

Evans of Grundy rose on a point of order that amendment H-3395 was not germane.

The Speaker ruled the point well taken and amendment H-3395 not germane.

Avenson of Fayette moved that the rules be suspended to consider amendment H-3395.

A non-record roll call was requested.

The ayes were 43, nays 52.

The motion lost.

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. 158)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Hummel	Husak	Jay	Johnson, J.

Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 8:

Arnould	Binneboese	Connors	Gettings
Howell	Jesse	Jochum	O'Kane

Absent or not voting, 1:

Doyle

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

MOTION TO RECONSIDER TABLED (Senate File 158)

Schroeder of Pottawattamie moved to reconsider the vote by which Senate File 158 passed the House on March 15, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 55, nays 41.

The motion prevailed.

WAYS AND MEANS CALENDAR

House File 645, a bill for an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax, was taken up for consideration.

Bennett of Ida 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. 645)

The ayes were, 93:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 1:

Arnould

Absent or not voting, 6:

Danker	Davitt	Doyle	Egenes
Stromer	Walter		

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

House File 655, a bill for an act relating to the filing requirements for individual income tax returns by increasing the minimum filing requirements and by expanding the limitation on filing requirements and making the Act retroactive, was taken up for consideration.

Rapp of Black Hawk offered amendment H—3393 filed by him and requested division as follows:

H-3393

1 Amend House File 655 as follows:

H-3393A

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Sec. . Section four hundred twenty-two point
5 four (422.4), Code 1979, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. "Adjusted inflation factor" means
8 a cumulative index, expressed as a percentage,
9 determined pursuant to section four hundred twenty-
10 two point twenty-one (422.21) of the Code by the
11 director to reflect the purchasing power of the dollar
12 as a result of inflation or deflation since January
13 1, 1979."

14 2. Page 1, by inserting after line 29 the
15 following:

16 "Sec. . Section four hundred twenty-two point
17 five (422.5), Code 1979, is amended by adding the
18 following new unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. Upon determination of
20 the latest adjusted inflation factor, the director
21 shall multiply each dollar amount, including those
22 expressed in the tax brackets, set forth in this
23 section by that adjusted inflation factor and shall
24 round off the resulting product to the nearest one
25 dollar."

26 3. Page 2, line 3, by inserting after the word
27 "dollars" the words "multiplied by the adjusted
28 inflation factor".

29 4. Page 2, line 7, by inserting after the word
30 "dollars" the words "multiplied by the adjusted
31 inflation factor".

32 5. Page 2, line 14, by inserting after the word
33 "dollars" the words "multiplied by the adjusted
34 inflation factor".

35 6. Page 2, line 19, by inserting after the word
36 "dollars" the words "multiplied by the adjusted
37 inflation factor".

H-3393B

38 7. Page 2, by inserting after line 20 the
39 following:

40 "Sec. . Section four hundred twenty-two point
41 fourteen (422.14), subsection one (1), Code 1979,
42 is amended to read as follows:

43 1. Every fiduciary subject to taxation under the

44 provisions of this division, as provided in section
 45 422.6, shall make and sign a return for the individual,
 46 estate or trust for whom or for which he or she acts,
 47 if the taxable income thereof amounts to six hundred
 48 dollars multiplied by the adjusted inflation factor
 49 or more. A nonresident fiduciary shall file a copy
 50 of the federal income tax return for the current tax

Page 2

1 year with the return required by this section.
 2 Sec. . Section four hundred twenty-two point
 3 twenty-one (422.21), Code 1979, is amended by adding
 4 the following new unnumbered paragraphs:
 5 NEW UNNUMBERED PARAGRAPH. The director shall
 6 determine the adjusted inflation factor by December
 7 thirty-first of each calendar year to be applied to
 8 tax years ending on or after December thirty-first.
 9 The adjusted inflation factor, to be expressed as
 10 a percentage, shall reflect the purchasing power of
 11 the dollar as a result of inflation or deflation from
 12 January 1, 1979, to the end of the second quarter
 13 of the applicable calendar year. The director shall
 14 base the determination on any consumer price index
 15 or comparable index which adequately reflects the
 16 purchasing power of the dollar in the state. The
 17 adjusted inflation factor determined by the director
 18 is not a rule as defined in section seventeen A point
 19 two (17A.2), subsection seven (7), of the Code.
 20 NEW UNNUMBERED PARAGRAPH. The director shall
 21 compute the new dollar amounts as required in sections
 22 four hundred twenty-two point five (422.5), four
 23 hundred twenty-two point thirteen (422.13) and four
 24 hundred twenty-two point fourteen (422.14) of the
 25 Code by multiplying the dollar amounts specified
 26 therein to be adjusted by the adjusted inflation
 27 factor, rounding off the result to the nearest one
 28 dollar, and incorporating the result into the income
 29 tax forms and instructions for each tax year. However,
 30 the resulting product shall not reduce the specified
 31 dollar amounts below those specified on January 1,
 32 1979."
 33 . 8. Page 2, lines 21 and 22, by striking the words
 34 and figures "sections one (1) and two (2) of this
 35 division" and inserting in lieu thereof the words
 36 "this Act".
 37 9. Amend the title, line 4, by inserting after
 38 the word "requirements" the words "and indexing the
 39 filing requirements and tax brackets to mitigate the
 40 effect of inflation".
 41 10. By numbering and renumbering as required by
 42 this amendment.

West of Marshall rose on a point of order that amendment H—3393A was not germane.

The Speaker ruled the point not well taken and amendment H—3393A germane.

Rapp of Black Hawk moved the adoption of amendment H—3393A.

Roll call was requested by Rapp of Black Hawk and Bruner of Story.

Rule 80 was invoked.

On the question "Shall amendment H—3393A be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Joehum	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Ritsema	Sherzan	Spear
Welden	Wells	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

Absent or not voting, 3:

Doyle

Johnson, R.

Walter

Amendment H — 3393A lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Walter of Pottawattamie, for the remainder of the day, on request of Bina of Scott.

West of Marshall rose on a point of order that amendment H — 3393B was not germane.

The Speaker ruled the point well taken and amendment H — 3393B not germane.

Rapp of Black Hawk moved that the rules be suspended to consider amendment H — 3393B.

Roll call was requested by Rapp of Black Hawk and Dieleman of Marion.

On the question "Shall the rules be suspended to consider amendment H — 3393B?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Spear	Wells	Weish	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.

Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, W.
Kirkenlager	Krewson	Lageschulte	Larsen
Lind	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 8:

Crawford	Doyle	Hullinger	Johnson, R.
Lorenzo	Perkins	Schroeder	Walter

The motion lost.

Shull of Warren 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. 655)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenlager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzo	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 1:

Hummel

Absent or not voting, 3:

Crawford

Doyle

Walter

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

HOUSE FILE 662 DEFERRED

Halvorson of Clayton asked and received unanimous consent that action on House File 662 be deferred and that the bill retain its place on the weekly debate calendar.

Regular Calendar

House File 664, a bill for an act relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties, was taken up for consideration.

Smalley of Polk asked and received unanimous consent to suspend Rule 25 and that Mike Smith, Legal Counsel for the Natural Resources Council, be permitted in the House chamber during consideration of House File 664.

Perkins of Greene asked and received unanimous consent to suspend Rule 25 and that James R. Webb or his assistant from the Natural Resources Council, be permitted in the House chamber during consideration of House File 664.

(House File 664 pending at adjournment.)

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 on March 15, 1979, amended the House amendment to, concurred in the House amendment as amended, and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 3, providing for the joint rules for the Sixty-eighth General Assembly.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE AMENDMENT TO
SENATE CONCURRENT RESOLUTION 3

H-3448

- 1 Amend the House amendment, S3069, to Senate
- 2 Concurrent Resolution 3 as follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "leader" the words ", after consultation with the
- 5 Senate minority leader,".
- 6 2. Page 1, line 9, by inserting after the word
- 7 "leader" the words ", after consultation with the
- 8 House minority leader,".
- 9 3. Page 1, line 16, by inserting after the word
- 10 "leader" the words ", after consultation with the
- 11 Senate minority leader,".
- 12 4. Page 1, line 17, by inserting after the word
- 13 "leader" the words ", after consultation with the
- 14 House minority leader,".
- 15 5. Page 1, line 30, by inserting after the word
- 16 "leader" the words ", after consultation with the
- 17 Senate minority leader,".
- 18 6. Page 1, line 31, by inserting after the word
- 19 "leader" the words ", after consultation with the
- 20 House minority leader".

SPECIAL THANKS

Speaker Millen expressed appreciation to all the first-half session Pages for their hard work and dedication to the House of Representatives.

The House rose and expressed its thanks to those leaving and wished them well.

PRESENTATION OF VISITORS

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

Sixty-two eighth grade students from St. Cecelia-St. Joseph Grade School, Algona, Iowa, accompanied by Father David Hogan,

Sister Consilia, Mrs. Kohlhaas and Mr. Rickels. By Mullins of Kossuth.

Foreign exchange students, Paul Rodas of Ecuador and Gino Morandini of Italy, presently attending Algona High School, Algona, Iowa. By Mullins of Kossuth.

COMMUNICATION FROM IOWA DEPARTMENT OF TRANSPORTATION

A report of Municipal Street Finance has been received from the Iowa Department of Transportation and is on file in the office of the Chief Clerk.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

House File 18, a bill for an act relating to the collection and distribution of state publications by the depository library center within the Iowa library department.

Recommended Amend and Do Pass.

H-3425

- 1 Amend House File 18 as follows:
- 2 1. Page 1, by striking lines 16 and 17.

Fiscal note is not required.

House File 79, a bill for an act to allow members of the office of citizens' aide to become notary publics.

Recommended Amend and Do Pass.

H-3424

- 1 Amend House File 79 as follows:
- 2 1. Page 1, by striking lines 6 and 7.

Fiscal note is not required.

House File 235, a bill for an act relating to the establishment of a force of reserve peace officers for a city, county or the state of Iowa.

Recommended **Do Pass**.

Fiscal note is required.

House File 357, a bill for an act relating to the acceptance of checks by vendors of state liquor stores.

Recommended **Amend and Do Pass**.

H-3440

- 1 Amend House File 357 as follows:
- 2 1. Page 2, by striking lines 3 and 4.

Fiscal note is not required.

House File 485, a bill for an act to require fiscal notes on proposed legislation and administrative rules which impose increased expenditures or fiscal liability, or reduce the revenues, of the political subdivisions of this state, and to provide for delayed effective dates.

Recommended **Amend and Do Pass**.

H-3439

- 1 Amend House File 485 as follows:
- 2 1. Page 1, line 27, by striking the word "for"
- 3 and inserting in lieu thereof the word "of".
- 4 2. Page 2, by striking lines 9 and 10 and inserting
- 5 in lieu thereof the words "a fiscal note is or is
- 6 not required."

Fiscal note is required.

Study Bill 213, relating to the persons eligible for appointment on the appropriate eligible list under the merit system.

Recommended **Do Pass**.

Study Bill 214, relating to the expansion of the commission and the appointment of a director of the commission for the blind.

Recommended **Amend and Do Pass**.

Fiscal note is required.

Committee Bill (Formerly House File 436), a bill for an act relating to the sale of wine and creating a license therefor.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3409	H.F. 680	Brandt of Black Hawk
		Krewson of Polk
		Thompson of Polk
		Hibbs of Johnson
		Larsen of Wapello
		Connors of Polk
		Cusack of Scott
		Shimanek of Jones
		Husak of Tama
H-3422	H.F. 680	Pope of Polk
		Connors of Polk
		Brandt of Black Hawk
		Clark of Cerro Gordo
		Thompson of Polk
		Hibbs of Johnson
		Crawford of Story
		Pavich of Pottawattamie
		Halvorson of Webster
H-3426	H.F. 662	Lorenzen of Scott
		Schneklath of Scott
		Walter of Pottawattamie
		Dieleman of Marion
H-3427	H.F. 664	Smalley of Polk
H-3428	H.F. 498	Cochran of Webster
H-3429	H.F. 664	Spear of Lee
H-3430	H.F. 664	Schneklath of Scott
		Bennett of Ida
		Branstad of Winnebago
		Johnson of Woodbury
		De Groot of Lyon
		Pellett of Cass
		Hansen of O'Brien
		Binneboese of Plymouth
		Stromer of Hancock
		Corey of Louisa
H-3431	H.F. 664	Evans of Grundy
H-3432	H.F. 671	Perkins of Greene

H-3433	H.F. 671	Bennett of Ida Pellett of Cass
H-3434	H.F. 671	Larsen of Wapello Perkins of Greene
H-3435	H.F. 612	Connors of Polk
H-3436	H.F. 10	Conlon of Muscatine Crabb of Crawford Pope of Polk
H-3437	H.F. 664	Bennett of Ida
H-3438	H.F. 680	Patchett of Johnson Rapp of Black Hawk
H-3441	H.F. 679	Woods of Polk
H-3442	H.F. 659	Groth of Buena Vista
H-3443	H.F. 679	Avenson of Fayette
H-3444	H.F. 680	Cusack of Scott Clark of Cerro Gordo Miller of Buchanan Brandt of Black Hawk
H-3445	H.F. 658	Chiodo of Polk
H-3446	H.F. 680	Larsen of Wapello Perkins of Greene
H-3447	H.F. 679	Anderson of Jasper Lura of Marshall
H-3449	H.F. 649	Schroeder of Pottawattamie Evans of Grundy Chiodo of Polk
H-3450	H.F. 679	Lura of Marshall
H-3451	H.F. 664	Bennett of Ida
H-3452	H.F. 654	Pelton of Clinton
H-3453	H.F. 679	Hoffmann of Muscatine

On motion by Halvorson of Clayton the House adjourned at 5:52 p.m., until 10:00 a.m., Friday, March 16, 1979.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day – Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 16, 1979

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

Prayer was offered by the Reverend Daryl Stahl, pastor of the St. Thomas Episcopal Church, Sioux City, Iowa.

The Journal of Thursday, March 15, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Oxley of Linn and Doyle of Woodbury on request of Cochran of Webster; Walter of Pottawattamie on request of Pavich of Pottawattamie; McKean of Jones on request of Shimanek of Jones.

PRESENTATION OF VISITORS

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

Ninety eighth grade students from Johnston Middle School, Johnston, Iowa, accompanied by Gary Busby. By Krewson of Polk and Larsen of Wapello.

Twenty-five fifth grade students from Williamson Elementary School, Williamson, Iowa, accompanied by Margaret Kridelbaugh. By Shull of Warren.

PETITIONS FILED

The following petitions were received and placed on file:

By Bina of Scott from thirty-two Quad City residents opposing Senate File 333, the motorcycle helmet law.

By Corey of Louisa and Kirkenslager of Des Moines, from five hundred thirty-eight constituents from the eighty-third and eighty-

fourth districts, protesting the increased number of rate increases now pending before the Iowa Commerce Commission.

By Danker of Pottawattamie, from one hundred seventy-nine citizens favoring legislation by the Iowa legislature authorizing the construction of an overpass over the tracks of the Chicago & Northwestern Railway at its intersection with U.S. Highway 30 on the Western boundary of the City of Missouri Valley, Iowa, and authorizing the State of Iowa to pay all of Missouri Valley's share of cost of the construction.

INTRODUCTION OF BILLS

House File 687, by committee on judiciary and law enforcement, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code.

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

House File 688, by committee on state government, a bill for an act relating to the expansion of the commission and the appointment of a director of the commission for the blind.

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

House File 689, by committee on state government, a bill for an act providing a liquor control license allowing the sale of only the alcoholic liquor of wine solely for on-premises consumption and beer.

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

House File 690, by committee on state government, a bill for an act relating to the persons eligible for appointment on the appropriate eligible list under the merit system.

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

House File 691, by committee on commerce, a bill for an act setting a time limit on the current prohibition of charges by telephone companies for telephone directory assistance and requiring the commerce commission to study the matter.

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

SENATE MESSAGES CONSIDERED

Senate File 114, a bill for an act to delete from the statute governing county public hospitals the requirement that admissions to the psychiatric department of certain county hospitals be limited to sixty days' duration.

Read first time and referred to committee on **human resources**.

Senate File 333, a bill for an act relating to the operation of motorcycles and motorized bicycles by providing for the issuance of instruction permits and instruction courses on the operation of motorcycles and motorized bicycles, providing for the operation of motorcycles and motorized bicycles with the headlights on at all times, and providing equipment requirements for riders of motorcycles and motorized bicycles, subject to a penalty provided by law.

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

Senate File 339, a bill for an act relating to investigation of arson and providing immunity and penalties.

Read first time and **passed on file**.

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 on March 14, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 373, a bill for an act relating to unemployment compensation by limiting benefits, making modifications, recomputing certain charges, extending the appeal period and by making technical corrections to chapter ninety-six of the Code.

FRANK J. STORK, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-two members present, eighteen absent.

EMPLOYEES OF THE HOUSE

Daggett of Taylor moved that the following named persons be elected as employees of the House:

Talawna Bane, Page	Brian Long, Page
Deborah Bateman, Page	Wendy Madsen, Page
Jane Brashaw, Page	Rebecca Nelson, Page
Gerry Fleming, Page	Maureen O'Connor, Page
Deanna Friedmeyer, Page	Debora Rudy, Page
Andrea Hagan, Page	Kimberly Schroeder, Page
Kelly Hayworth, Page	Curt Surls, Page
Bernard Koziol, Page	Robert Vickers, Page
Tamra Kasch, Page	Jane Weber, Page
Janet Larson, Page	Elizabeth Welter, Page
	Elizabeth Worden, Page

The motion prevailed.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Resolution 27 and Senate Concurrent Resolution 3.

HOUSE FILES 679 AND 680 DEFERRED

Halvorson of Clayton asked for unanimous consent to defer action on House Files 679 and 680.

Objection was raised.

Halvorson of Clayton moved that House Files 679 and 680 be deferred and that the bills retain their place on the weekly debate calendar.

Roll call was requested by Crawford of Story and Clark of Lee.

On the question "Shall the motion to defer House Files 679 and 680 prevail?"

The ayes were, 56:

Anderson, J. J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Conlon	Crabb
Crawford	Daggett	Danker	De Groot

Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenlager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker

The nays were, 31:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Husak	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Pavich	Rapp	Sherzan	

Absent or not voting, 13:

Chiodo	Corey	Doyle	Hullinger
Jesse	Krewson	McKean	Oxley
Patchett	Perkins	Walter	Wells
Welsh			

The motion prevailed.

ADOPTION OF HOUSE RESOLUTION 27

Harbor of Mills called up for consideration House Resolution 27, amending the temporary rules of the House, filed on March 15, 1979 and found on page 945 of the House Journal.

Anderson of Jasper moved that House Resolution 27 be deferred.

Anderson of Jasper asked and received unanimous consent to withdraw his motion to defer.

Harbor of Mills moved the adoption of House Resolution 27.

A non-record roll call was requested.

The ayes were 81, nays 0.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Harbor of Mills called up for consideration **Senate Concurrent Resolution 3**, providing for the joint rules for the Sixty-eighth General Assembly, amended by the Senate amendment H-3448, received on March 15, 1979 and found on page 981 of the House Journal, and moved that the House concur in the Senate amendment H-3448.

The motion prevailed and the House concurred in the Senate amendment H-3448 to the House amendment.

On motion by Harbor of Mills, Senate Concurrent Resolution 3, as amended, was adopted by the House.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 664**, a bill for an act relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties.

Schnekloth of Scott offered amendment H-3430 filed by Schnekloth, et al. Division was requested as follows:

H-3430

1 Amend House File 664 as follows:

H-3430A

2 1. Page 2, by striking lines 15 through 17 and
3 inserting in lieu thereof the following:
4 "11. "Nonregulated use" means the use of water
5 for ordinary household purposes, use of water for
6 poultry, livestock and domestic animals, any a
7 beneficial use of surface flow from".

H-3430B

8 2. Page 2, line 32, by striking the word "five"
9 and inserting in lieu thereof the word "fifteen".

(House File 664 and amendment H—3430A pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:05 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Clark of Lee in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dieleman of Marion, for the remainder of the day, on request of Howell of Floyd.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-one members present, twenty-nine absent.

HOUSE FILE 664 DEFERRED

The House resumed consideration of **House File 664**, a bill for an act relating to the regulation and management of water resources by revising Iowa natural resources council programs relating to water use, flood plain regulation and dam construction, and by providing penalties, and amendment H—3430A.

Smalley of Polk moved that action on House File 664 be deferred and that the bill retain its place on the weekly debate calendar.

A non-record roll call was requested.

The ayes were 53, nays 27.

The motion prevailed.

HOUSE FILE 671 DEFERRED

Halvorson of Clayton asked and received unanimous consent that action on House File 671 be deferred and that the bill retain its place on the weekly debate calendar.

Regular Calendar

House File 672, a bill for an act authorizing township trustees to divide a township into taxing districts to provide fire protection service, was taken up for consideration.

Branstad of Winnebago 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. 672)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Diemer	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lloyd-Jones	Lonerган
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	ShimaneK
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Woods	Mr. Speaker	
		(Clark, J.H.)	

The nays were, none.

Absent or not voting, 17:

Chiodo	Clark, B.J.	Connors	Davitt
Dieleman	Doyle	Egenes	Harbor
Hoffmann	Jay	Jesse	Larsen
McKean	Millen	Oxley	Patchett
Walter			

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

House File 649, a bill for an act to amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H—3449 filed by Schroeder, et al., and moved its adoption:

H—3449

- 1 Amend House File 649 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Sec. . Section five hundred twenty-four point
- 5 two hundred eleven (524.211), subsections one.(1)
- 6 and two (2), Code 1979, is amended to read as follows:
- 7 1. No sum of money or property, as a gift or loan,
- 8 or otherwise, shall be given or granted, directly
- 9 or indirectly by a state bank, or by persons subject
- 10 to chapters ~~533~~, 533A, 533B, 536, 536A, or any
- 11 affiliate of a state bank or of such persons, or any
- 12 director, officer, employee, member, owner, or partner
- 13 of a state bank or of such persons, to the
- 14 superintendent, deputy superintendent, an assistant
- 15 or examiner, nor shall the superintendent, deputy
- 16 superintendent, an assistant or examiner receive from
- 17 a state bank or from persons subject to chapters ~~533~~,
- 18 533A, 533B, 536, and 536A, or any affiliate of a state
- 19 bank or of such persons, or any director, officer,
- 20 employee, member, owner, or partner of a state bank
- 21 or of such persons, any sum of money or any property
- 22 as a gift or loan, or otherwise, either directly or
- 23 indirectly.
- 24 2. The deputy superintendent, any assistant or
- 25 examiner, shall not perform any services for, nor
- 26 be a shareholder, member, partner, owner, director,
- 27 officer or employee of any bank or private bank, or
- 28 of persons subject to chapters ~~533~~, 533A, 533B, 536,
- 29 or 536A, or of any affiliate of any bank, private
- 30 bank or of any such persons. A violation of this
- 31 subsection shall constitute grounds for discharge
- 32 or suspension from employment or for reduction in
- 33 rank or grade.
- 34 Sec. . Section five hundred twenty-four point
- 35 two hundred twelve (524.212), Code 1979, is amended
- 36 to read as follows:
- 37 524.212 PROHIBITION AGAINST DISCLOSURE. An
- 38 examiner shall not disclose to any person, other than

39 the superintendent, deputy superintendent, and the
 40 person examined, the name of any shareholder, member,
 41 partner, owner of, or borrower from, or disclose the
 42 nature of the collateral for any loan by any state
 43 bank or persons subject to chapters ~~533~~, 533A, 533B,
 44 536, and 536A, or any affiliate of any state bank
 45 or of any such persons, or any other information
 46 relating to the business of any state bank or of any
 47 such persons, or any affiliate of any state bank or
 48 of any such persons, except when ordered to do so
 49 by a court of competent jurisdiction and then only
 50 in those instances referred to in subsections 1, 2,

Page 2

1 and 3 of section 524.215."

Amendment H—3449 was adopted.

Evans of Grundy offered the following amendment H—3354 filed by Evans, et al., and moved its adoption:

H—3354

- 1 Amend House File 649 as follows:
- 2 1. Page 7, by striking lines 19 through 35.
- 3 2. Page 8, by striking lines 1 through 30.

Amendment H—3354 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3257 filed by him and moved its adoption:

H—3257

- 1 Amend House File 649 as follows:
- 2 1. By striking page 13, line 15, through page
- 3 16, line 7.

Amendment H—3257 was adopted.

Crabb of Crawford 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. 649)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Bjñneboese	Branstad
Bruner	Byerly	Clark, B.J.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonerган
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Weiden	Wells	Welsh
West	Woods	Mr. Speaker (Clark, J.H.)	

The nays were, none.

Absent or not voting, 13:

Brandt	Chiodo	Davitt	Dieleman
Doyle	Harbor	Jesse	Krewson
McKean	Millen	Oxley	Patchett
Walter			

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

SPECIAL PRESENTATION

Crawford of Story presented to the House the Honorable Tom Tauke, United States Congressman representing the Second District and former member of the House of Representatives from Dubuque County.

House File 470, a bill for an act to provide that foster children and foster parents stand in the same relationship as children and

their natural parents for certain purposes, was taken up for consideration.

Shimanek of Jones 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. 470)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Menke
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	Welsh	West
Woods	Mr. Speaker		
	(Clark, J.H.)		

The nays were, 2:

Maulsby	Perkins
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Absent or not voting, 12:

Chiodo	Davitt	Dieleman	Doyle
Harbor	Jesse	Krewson	McKean
Millen	Oxley	Patchett	Walter

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

MOTION TO RECONSIDER WITHDRAWN
(Senate File 211)

Norland of Worth asked and received unanimous consent to withdraw the motion to reconsider Senate File 211 filed by him on March 13, 1979.

SPONSOR WITHDRAWN
(House File 603)

Tyrrell of Iowa requests that his name be withdrawn as a sponsor of House File 603.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 222 Judiciary and Law Enforcement

Legalizing proceedings taken in Linn county, Iowa, relating to the sale of property.

S.B. 223 Labor and Industrial Relations

To establish a legislative penal and correctional review committee.

SUBCOMMITTEE ASSIGNMENTS

House File 364

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 375

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 386

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 390

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 401

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 476

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 481

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 486

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 488

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 491

Ways and Means: Conlon, Chair; Diemer, Lura, Shull, Chiodo, Davitt and Cochran.

House File 497

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 526

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 533

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 536

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Davitt, Cochran and Chiodo.

House File 544

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 549

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 562

Ways and Means: Harbor, Chair; Bennett and Oxley.

House File 591

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 602

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

House File 604

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 607

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 614

Ways and Means: West, Chair; Schnekloth, Daggett, Diemer, Lura, Brandt, Norland, Hall and Oxley.

House File 618

Commerce: Crabb, Chair; Hibbs and Woods.

House File 619

Commerce: Crabb, Chair; Hibbs and Woods.

House File 620

Commerce: Crabb, Chair; Hibbs, Woods, Shull, Ritsema and Bina.

House File 621

Ways and Means: Thompson, Chair; Shull, Lorenzen, Harbor, Anderson of Jasper, Husak and Chiodo.

House File 622

Commerce: Crabb, Chair; Hibbs and Woods.

House File 625

Commerce: Crabb, Chair; Hibbs and Woods.

House File 628

Ways and Means: West, Chair; Schneklath, Daggett, Diemer, Lura, Norland, Brandt, Hall and Oxley.

House File 639

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

House File 640

Commerce: Shull, Chair; Woods and Pope.

House File 641

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

Senate File 29

Judiciary and Law Enforcement: Smalley, Chair; Patchett and Pelton.

Senate File 93

State Government: Lura, Chair; Stromer and Brandt.

Senate File 149

State Government: Hoffmann, Chair; Branstad and Walter.

Senate File 280

Transportation: Binneboese, Chair; Schneklath and Gettings.

Senate File 294

Judiciary and Law Enforcement: Pelton, Chair; Corey and Lloyd-Jones.

Senate File 298

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 23

(Additional members)

Commerce: Rapp and Johnson of Linn.

Study Bill 199

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum, Connolly and Conlon.

Study Bill 211

Commerce: Pope, Chair; Schroeder and Dieleman.

Study Bill 212

Commerce: Shull, Chair; Ritsema and Jochum.

Study Bill 215

Transportation: Egenes, Chair; Kirkenlager and Hullinger.

Study Bill 216

Judiciary and Law Enforcement: Conlon, Chair; Rapp and Smalley.

Study Bill 218

State Government: Hansen of O'Brien, Chair; Swearingen and Brandt.

Study Bill 219

State Government: Stromer, Chair; Branstad and Woods.

Study Bill 223

Labor and Industrial Relations: Holt, Chair; Tofte and Wells.

AMENDMENTS FILED

H-3454	H.F. 664	Conlon of Muscatine Spear of Lee
H-3455	H.F. 679	Tyrrell of Iowa
H-3456	H.F. 315	Jesse of Polk Krewson of Polk
H-3457	H.F. 485	Norland of Worth
H-3458	H.F. 315	Jesse of Polk
H-3459	H.F. 315	Schroeder of Pottawattamie
H-3460	H.F. 391	Pelton of Clinton
H-3461	H.F. 680	Byerly of Polk
H-3462	H.F. 680	Byerly of Polk
H-3463	H.F. 485	Arnould of Scott
H-3464	H.F. 315	Pelton of Clinton
H-3465	H.F. 661	Rapp of Black Hawk
H-3466	H.F. 315	Jesse of Polk Krewson of Polk
H-3467	H.F. 670	Jay of Appanoose O'Kane of Woodbury

H—3468

H.F. 315

Shimanek of Jones

On motion by Halvorson of Clayton the House adjourned at 2:27 p.m., until 10:00 a.m., Monday, March 19, 1979.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day — Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 19, 1979

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

Prayer was offered by the Reverend Keith Pals, pastor of the First United Methodist Church, Corwith, Iowa.

The Journal of Friday, March 16, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J.H. Codington, Humboldt, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brandt of Black Hawk, for March 19 and 20, on request of Perkins of Greene; Chiodo of Polk, for the week of March 19, on request of Woods of Polk; Johnson of Linn, for March 19 and 20, on request of Maulsby of Calhoun; Patchett of Johnson on request of Bina of Scott.

PRESENTATION OF VISITORS

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

Twenty-five fifth grade students from Lucas Elementary School, Lucas, Iowa, accompanied by Mary Richmond. By Jay of Appanoose.

Twenty-seven senior government students from South Hamilton Junior-Senior High School, Jewell, Iowa, accompanied by Richard Steffen. By Egenes of Story.

Fifty-five fifth and sixth grade students from Pleasant Hill Elementary School, Pleasant Hill, Iowa, accompanied by Mr. Coenen. By Woods of Polk.

Forty students from the Greater Des Moines Education Center, Des Moines, Iowa, accompanied by John Strayer. By Jesse of Polk.

INTRODUCTION OF BILL

House File 692, by committee on judiciary and law enforcement, a bill for an act to repeal chapter five hundred three (503) of the Code.

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

SENATE MESSAGE CONSIDERED

Senate File 373, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-workforce requirements and certain disqualification and requalification requirements for voluntary quits, misconduct, and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code.

Read first time and referred to committee on **labor and industrial relations**.

RULE 37 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend Rule 37 for the consideration of House File 671.

CONSIDERATION OF BILLS Regular Calendar

House File 671, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program, was taken up for consideration.

Davitt of Warren offered the following amendment H-3419 filed by Davitt, et al.:

H-3419

- 1 Amend House File 671 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "loans." the words "With respect to a seller-
- 4 sponsored loan, "lender" includes the seller of the
- 5 farm land."
- 6 2. Page 1, by inserting after line 17 the
- 7 following new subsection:
- 8 " "Seller-sponsored loan" means a loan in which
- 9 part or all of the purchase price of the farm land
- 10 is financed by a loan from the seller who is a
- 11 natural person or a family farm corporation as
- 12 defined in section one hundred seventy-two C point
- 13 one (172C.1), subsection eight (8) of the Code and
- 14 the remainder of the loan, if any, is financed by
- 15 one or more lenders other than the seller."
- 16 3. By renumbering as necessary.

Bennett of Ida offered the following amendment H-3433, to amendment H-3419, filed by him and Pellett of Cass and moved its adoption:

H-3433

- 1 Amend the amendment, H-3419, to House File 671
- 2 as follows:
- 3 1. Page 1, line 15, by inserting after the word
- 4 "seller." the words "The borrower financed through
- 5 a seller sponsored loan shall meet the same financial
- 6 requirements as those borrowers financed by guaranteed
- 7 loans made by other types of lenders."

Amendment H-3433 was adopted.

Stromer of Hancock offered the following amendment H—3472 to amendment H—3419, filed by Stromer, Hansen of O'Brien, West and Davitt from the floor:

H—3472

1 Amend the amendment, H-3419, to House File 671
2 as follows:

3 1. Page 1, by striking lines 10 through 15 and
4 inserting in lieu thereof the following: "is financed
5 by a loan from the seller."

6 . Page 5, by inserting after line 11 the
7 following:

8 " . Provide a guarantee to lenders on seller-
9 sponsored loans. However, in lieu of guaranteeing
10 any seller-sponsored loan, the committee may authorize
11 a tax incentive for the seller on the seller-sponsored
12 loan as provided in section eleven (11) of this Act.
13 Before the committee shall authorize the tax incentive,
14 the committee shall determine that the seller-sponsored
15 loan could be guaranteed according to the rules adopted
16 by the committee and that the seller has provided
17 for an adjustment in the amount of interest to be
18 paid on the seller-sponsored loan as a result of the
19 tax incentive authorized under this subsection.

20 The committee shall notify the director of revenue
21 of any tax incentive authorized under this subsection
22 and the name of the seller and other information
23 required by the director of revenue. The tax incentive
24 authorized under this subsection shall no longer be
25 authorized upon the transfer of the purchaser's
26 interest in the farm land unless the subsequent
27 purchaser or transferee would have qualified for the
28 tax incentive under this subsection."

29 . Page 5, line 24, by inserting after the word
30 "loans" the words "or seller-sponsored loans".

31 . Page 6, by inserting after line 28 the
32 following:

33 "Sec. 11, Section four hundred twenty-two point
34 seven (422.7), Code 1979, is amended by adding the
35 following new subsection:

36 NEW SUBSECTION. Subtract the interest earned,
37 to the extent included in the adjusted gross income,
38 by the seller of farm land on a seller-sponsored loan
39 authorized by the family farm guaranteed loan committee
40 under sections two (2) through nine (9) of this Act
41 for a tax incentive." "

Avenson of Fayette rose on a point of order that amendment H—3472 was not in order.

The Speaker ruled the point not well taken inasmuch as amendment H-3419 relates to seller-sponsored loans and amendment H-3472 expands on seller-sponsored loans and was, therefore, in order.

Husak of Tama rose on a point of order that amendment H-3472 was not germane.

The Speaker ruled the point not well taken and amendment H-3472 germane.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

(House File 671 and amendment H-3472, to amendment H-3419, pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:13 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

HOUSE RESOLUTION 29

By Bina, Arnould, Cusack and Lorenzen

- 1 *Whereas*, The Davenport Central High School Boys
- 2 Basketball Team placed second in the Boys Class 3A
- 3 1979 State High School Basketball Tournament; and
- 4 *Whereas*, in the pursuit of these accomplishments
- 5 the Central Blue Devils displayed the utmost in spirit,
- 6 citizenship, dedication and athletic talent, *Now*
- 7 *Therefore*,
- 8 *Be It Resolved By The House Of Representatives*,
- 9 That the members of the Sixty-eighth General Assembly
- 10 of the state of Iowa extend their heartiest congratulations
- 11 to the Davenport Central Blue Devils, their head coach,
- 12 Don Gensing, and assistant coach, Randy Peters, for their
- 13 excellence, dedication, and sportsmanship, and to the
- 14 faculty and administration, families and all loyal fans
- 15 who encouraged them; and
- 16 *Be It Further Resolved*, That copies of this
- 17 resolution be sent to Davenport Central High School and

18 head coach Don Gensing, assistant coach Randy Peters,
19 and members of the Davenport Central High 1979 Blue Devils
20 Basketball Team.

Laid over under Rule 30.

HOUSE RESOLUTION 30

By Hibbs

1 *Whereas*, the Iowa City Regina High School Boys
2 Basketball Team won the 1979 Boys Class 1-A State
3 High School Basketball Tournament; and
4 *Whereas*, this is the second consecutive year the
5 Runnin' Regals of Regina High School have earned this
6 honor; and
7 *Whereas*, while compiling this enviable record,
8 this team, Coach Bob Norton and assistant coaches
9 have displayed the utmost in sportsmanship, athletic
10 talent and dedication; *Now Therefore*
11 *Be It Resolved By The House Of Representatives*,
12 That the members of the Sixty-eighth General Assembly
13 of the state of Iowa extend their heartiest congratulations
14 to the Runnin' Regals of Regina High School of Iowa City,
15 Head Coach Bob Norton and assistant coaches, Principal
16 Father Benda, and to the faculty and administration,
17 families and all loyal fans who encouraged them; and
18 *Be It Further Resolved*, That copies of this
19 resolution be sent to Coach Bob Norton and the Iowa
20 City Regina High School Boys Basketball Team.

Laid over under Rule 30.

HOUSE RESOLUTION 31

By Thompson, Chiodo, Sherzan, Byerly,
Connors, Crawford, Jesse, Krewson,
Pope, Smalley, and Woods

1 *Whereas*, The Dowling High School Boys' Basketball
2 team has won the 3A Championship in the Boys' State
3 High School Basketball Tournament; and
4 *Whereas*, The Maroons also won the Metro Conference
5 Championship, and in the pursuit of these accomplishments
6 displayed the utmost in spirit, sportsmanship, teamwork,
7 dedication and athletic talent, *Now Therefore*,
8 *Be It Resolved By The House Of Representatives*, That
9 the members of the Sixty-eighth General Assembly of the
10 state of Iowa extend their heartiest congratulations to
11 the Dowling Maroons and their coach, John LaBonia, and
12 assistant coaches, Terry Coleman, James Casey and Tom
13 Stokesbary, for their excellence and dedication, and to
14 the faculty and administration, families and all loyal

- 15 fans who encouraged and supported them; and
16 *Be It Further Resolved*, That copies of this resolution
17 be sent to Dowling High School coach John LaBonia and
18 members of the Dowling Basketball team.

Laid over under Rule 30.

The House stood at east until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-six members present, fourteen absent.

BUSINESS PENDING

The House resumed consideration of **House File 671**, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program, and amendment H-3472, to amendment H-3419.

Stromer of Hancock asked and received unanimous consent to correct amendment H-3472 by deleting the quotation marks (") on line 5 and adding in the blank lines the figure "3" on line 6; the figure "4" on line 29 and the figure "5" on line 31.

Stromer of Hancock moved the adoption of amendment H-3472, to amendment H-3419.

A non-record roll call was requested.

The ayes were 61, nays 25.

Amendment H-3472, as amended, was adopted.

Miller of Buchanan offered the following amendment H-3475, to amendment H-3419, filed by him from the floor:

H-3475

- 1 Amend the amendment, H-3419, to House File 671

2 as follows:

3 1. Page 1, line 8, by inserting after the word
4 "which" the words "the rate of interest does not
5 exceed that provided in subsection one (1) of section
6 seven (7) of this Act and in which".

7 2. Page 1, by inserting after line 15 the
8 following:

9 " . Page 4, line 13, by inserting after the
10 word "loans" the words "including seller-sponsored
11 loans".

12 . Page 4, line 16, by inserting after the word
13 "Act." the following: "However, the committee shall
14 not approve an application for the guarantee of a
15 seller-sponsored loan if the rate of interest on the
16 loan exceeds by one-fourth of one percent per year
17 the quarterly average interest rate of tax-exempt
18 federal, state and local government notes and bonds
19 for the calendar quarter preceding the calendar quarter
20 during which the seller-sponsored loan was entered
21 into, rounded to the nearest one-fourth of one percent
22 per year. The superintendent of banking shall
23 determine the maximum rate of interest on seller-
24 sponsored loans which the committee may guarantee.
25 The determination of the maximum interest rate shall
26 not be subject to the provisions of chapter seventeen
27 A (17A) of the Code." "

28 3. By numbering and renumbering as required by.
29 this amendment.

By unanimous consent the following amendment H-3477, to amendment H-3475 (to amendment H-3419) filed by Miller of Buchanan from the floor, was adopted:

H-3477

1 Amend amendment H-3475, to amendment H-3419, to
2 House File 671, as follows:
3 1. Page 1, line 16, by striking the words "one-
4 fourth of".

Miller of Buchanan moved the adoption of amendment H-3475, as amended, to amendment H-3419.

A non-record roll call was requested.

The ayes were 35, nays 52.

Amendment H-3475, as amended, lost.

Davitt of Warren moved the adoption of amendment H—3419, as amended.

Roll call was requested by Davitt of Warren and Cusack of Scott.

On the question "Shall amendment H—3419, as amended, be adopted?"

The ayes were, 62:

Arnould	Avenson	Bina	Binneboese
Branstad	Bruner	Byerly	Connolly
Connors	Crabb	Crawford	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Jay
Jochum	Johnson, J.	Johnson, W.	Kirkenlager
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McKean	Mullins	Norland	O'Kane
Oxley	Pavich	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schroeder	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Tofte
Walter	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 29:

Anderson, J.	Anderson, R.	Bennett	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Corey
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.N.	Hanson, D.
Hummel	Husak	Larsen	Lind
Lorenzen	Lura	Menke	Miller
Pellett	Schneklath	Thompson	Tyrell
Van Maanen			

Absent or not voting, 9:

Brandt	Chiodo	Harbor	Jesse
Johnson, R.	Krewson	Patchett	Smalley
Welden			

Amendment H—3419, as amended, was adopted.

Cochran of Webster offered the following amendment H—3411 filed by Cochran, et al., and moved its adoption:

H-3411

- 1 Amend House File 671 as follows:
- 2 1. Page 1, line 23, by striking the words
- 3 "secretary may" and inserting in lieu thereof the
- 4 words "department shall".

Amendment H-3411 was adopted.

Sherzan of Polk offered the following amendment H-3378 filed by him and moved its adoption:

H-3378

- 1 Amend House File 671 as follows:
- 2 1. Page 4, line 12, by striking the words "this
- 3 division" and inserting in lieu thereof the words
- 4 and figure "programs under section nine (9) of this
- 5 Act".

Amendment H-3378 was adopted.

Pellett of Cass offered the following amendment H-3371 filed by him and Hinkhouse of Cedar and moved its adoption:

H-3371

- 1 Amend House File 671 as follows:
- 2 1. Page 4, line 25, by striking the word
- 3 "secretary" and inserting in lieu thereof the words
- 4 "committee or the department".
- 5 2. Page 4, line 28, by striking the word
- 6 "secretary" and inserting in lieu thereof the words
- 7 "committee or the department".

Amendment H-3371 was adopted.

Van Maanen of Mahaska asked and received unanimous consent to temporarily defer action on amendment H-3384.

Van Maanen of Mahaska offered the following amendment H-3406 filed by him and moved its adoption:

H-3406

- 1 Amend House File 671 as follows:
- 2 1. Page 5, line 26, by inserting after the word
- 3 "are" the words "residents of Iowa and".

Amendment H—3406 was adopted.

Van Maanen of Mahaska offered the following amendment H—3384 filed by him:

H—3384

- 1 Amend House File 671 as follows:
- 2 1. Page 4, line 31, by striking the words "or
- 3 otherwise dispose of".
- 4 2. Page 4, line 33, by inserting after the word
- 5 "division." the following: "Property purchased or
- 6 acquired under subsection three (3) of this section
- 7 shall be sold only to a natural person who is a present
- 8 or future farm operator."

Van Maanen of Mahaska offered the following amendment H—3407, to amendment H—3384, filed by him and moved its adoption:

H—3407

- 1 Amend the Van Maanen amendment, H—3384, to House
- 2 File 671, as follows:
- 3 1. Page 1, line 7, by inserting after the word
- 4 "is" the words "a resident of Iowa and".

Amendment H—3407 was adopted.

Van Maanen of Mahaska moved the adoption of amendment H—3384, as amended.

Amendment H—3384, as amended, was adopted.

Cochran of Webster offered the following amendment H—3412 filed by Cochran, et al.:

H—3412

- 1 Amend House File 671 as follows:
- 2 1. Page 5, by inserting after line 21 the
- 3 following new section:
- 4 "Sec. . ELIGIBILITY. A loan guarantee shall
- 5 be granted only if the following criteria for
- 6 eligibility of the loan applicant are satisfied:
- 7 1. The applicant is a natural person who is a
- 8 resident of Iowa.

9 2. The loan is for the purchase of land which
10 the applicant will use for farming as defined in
11 section one hundred seventy-two C point one (172C.1),
12 subsection six (6) of the Code.

13 3. The applicant's education, training and
14 experience is sufficient to demonstrate farming
15 ability.

16 4. The applicant and the applicant's spouse and
17 dependents have a total net worth of less than
18 seventy-five thousand dollars, and the applicant has
19 demonstrated need for a loan.

20 5. The applicant is credit worthy according to
21 the lender."

22 2. By renumbering remaining sections and
23 internal references as required.

Larsen of Wapello offered the following amendment H—3434, to amendment H—3412, filed by her and Perkins of Greene and moved its adoption:

H—3434

1 Amend the amendment, H—3412, to House File 671
2 as follows:

3 1. Page 1, line 21, by inserting after the word
4 "lender." the words "In considering whether the
5 applicant is credit worthy, the lender shall make
6 a determination as to whether the applicant has the
7 capacity to repay the loan."

Amendment H—3434 was adopted.

Cochran of Webster moved the adoption of amendment H—3412, as amended.

Amendment H—3412, as amended, was adopted.

Perkins of Greene offered the following amendment H—3432 filed by him and moved its adoption:

H—3432

1 Amend House File 671 as follows:

2 1. Page 5, line 31, by inserting after the word
3 "default." the words "The committee shall not grant
4 a loan guarantee which would cause the outstanding
5 obligations of the committee on loan guarantees to
6 exceed ten times the sum of money held by the
7 committee in the loan account."

A non-record roll call was requested.

The ayes were 72, nays 10.

Amendment H—3432 was adopted.

Pellett of Cass offered the following amendment H—3416 filed by him and moved its adoption:

H—3416

- 1 Amend House File 671 as follows:
- 2 1. Page 6, line 15, by striking the word "may"
- 3 and inserting in lieu thereof the word "shall".

Amendment H—3416 was adopted.

Anderson of Audubon 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 80 was invoked.

On the question "Shall the bill pass?" (H.F. 671)

The ayes were, 60:

Anderson, J.	Avenson	Bennett	Binneboese
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Jay	Johnson, J.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Maulsby
Norland	O'Kane	Oxley	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Wells	Welsh	West	Mr. Speaker

The nays were, 33:

Anderson, R.	Arnould	Bina	Byerly
Conlon	Connolly	Corey	Crabb
Cusack	Doyle	Egenes	Evans

Horn	Hummel	Husak	Jochum
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	McKean	Menke
Miller	Mullins	Pavich	Smalley
Spear	Tofte	Walter	Welden
Woods			

Absent or not voting, 7:

Brandt	Chiodo	Connors	Harbor
Jesse	Johnson, R.	Patchett	

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

Pellett of Cass moved to reconsider the vote by which House File 671 passed the House and to table the motion to reconsider.

Pellett of Cass asked and received unanimous consent to withdraw the motion to reconsider and withdraw that the motion be tabled.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jesse of Polk on request of Anderson of Jasper.

HOUSE FILE 98 WITHDRAWN

Doyle of Woodbury asked and received unanimous consent to withdraw House File 98 from further consideration by the House.

MOTION TO RECONSIDER (House File 671)

I move to reconsider the vote by which House File 671 passed the House on March 19, 1979.

PELLETT of Cass

SPONSOR ADDED (House File 363)

Jay of Appanoose requested to be added as a sponsor of House File 363.

SPONSOR WITHDRAWN
(Amendment H—3419 to House File 671)

Lura of Marshall requested to be withdrawn as a sponsor of amendment H—3419 to House File 671.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, March 16, 1979. Had I been present, I would have voted "aye" on House Files 470, 649 and 672.

DIELEMAN of Marion

**COMMUNICATION FROM
IOWA STATE LIBRARY COMMISSION**

A report of the Iowa Public Library Statistics 1977-1978 has been received and is on file in the office of the Chief Clerk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 224 Education

Relating to the date requirements for calling a special election for the issuance of certain general obligation bonds for school districts.

S.B. 225 Judiciary and Law Enforcement

Relating to amending Chapter 496C, Code of Iowa, Professional Corporations; Section 10, Issuance of Shares.

AMENDMENTS FILED

H—3469	H.F. 235	Dieleman of Marion
H—3470	H.F. 315	Spear of Lee
H—3471	H.F. 315	Spear of Lee
H—3473	H.F. 485	Spear of Lee
H—3474	H.F. 485	Spear of Lee
H—3476	H.F. 679	Anderson of Jasper
H—3478	H.F. 612	Thompson of Polk
H—3479	H.F. 485	Miller of Buchanan

H-3480	H.F. 485	Spear of Lee
H-3481	H.F. 485	Dieleman of Marion
H-3482	H.F. 235	Lloyd-Jones of Johnson
H-3483	H.F. 664	Lloyd-Jones of Johnson
H-3484	H.F. 357	Thompson of Polk
		Dieleman of Marion

On motion by Halvorson of Clayton the House adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, March 20, 1979.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day — Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 20, 1979

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

Prayer was offered by the Reverend Orrin T. Potter, pastor of the United Methodist Church, DeWitt, Iowa.

The Journal of Monday, March 19, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Driscoll, Family Practice Department, University of Iowa, Iowa City, Iowa.

PRESENTATION OF VISITORS

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

Seventy-five fifth grade students from Greenwood Elementary School, Des Moines, Iowa, accompanied by Mrs. Russ Carlson and Miss Roberson. By Thompson of Polk.

Fourteen students from Iowa Braille and Sight Saving School, Vinton, Iowa, accompanied by Mary Beth Young. By Hummel of Benton.

Thirty-eight students from Twin Rivers High School, Bode, Iowa, accompanied by Nancy Warren and Paul Aslessen. By Mullins of Kossuth.

Forty-three students from North Mahaska Junior-Senior High School, New Sharon, Iowa, accompanied by Mrs. Seitsinger. By Van Maanen of Mahaska.

Eighty eighth grade students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Lynn Disney. By McKean of Jones.

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 on March 16, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 462, a bill for an act relating to valuation standards and nonforfeiture provisions for policies of insurance subject to chapters five hundred eight (508) and five hundred twelve (512) of the Code.

Also: That the Senate has on March 16, 1979, passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 9, creating a special study committee on county statutes and making an appropriation.

Also: That the Senate has on March 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 230, a bill for an act relating to the appointment of interpreters for persons with speech or hearing impairments.

Also: That the Senate has on March 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 361, a bill for an act increasing the share of the surviving spouse under the intestate succession laws.

Also: That the Senate has on March 16, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation.

FRANK J. STORK, Secretary

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, March 16, 1979. Had I been present, I would have voted "aye" on House Files 470, 649, and 672.

WALTER of Pottawattamie

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COUNTY GOVERNMENT

Senate File 269, a bill for an act to provide that a board of supervisors may furnish the sheriff with an office anywhere within the county.

H-3485

- 1 Amend Senate File 269 as follows:
- 2 1. Page 1, by striking line 8 and inserting in
- 3 lieu thereof the words "the sheriff with an office
- 4 within the county and may provide more than one office.
- 5 For the purposes of this section, a sheriff's office
- 6 includes the central administrative headquarters of
- 7 the office, the county jail, and, if a county has
- 8 more than one county seat, an office in each county
- 9 seat. In no case shall".

Recommended **Amend and Do Pass.**

COMMITTEE ON EDUCATION

Study Bill 224, relating to the date requirements for calling a special election for the issuance of certain general obligation bonds for school districts.

Recommended **Do Pass.**

Committee Bill (Formerly House File 169), a bill for an act relating to authorizing merged areas to acquire and operate student residence halls, dormitories, and student centers including dining and parking facilities, and to finance the cost with revenue bonds.

Recommended **Amend and Do Pass.**

AMENDMENTS FILED

H-3486	H.F. 661	Rapp of Black Hawk
H-3487	H.F. 485	Dieleman of Marion
H-3488	H.F. 687	Schroeder of Pottawattamie
H-3489	H.F. 485	Dieleman of Marion

H-3490	H.F. 687	Horn of Linn
H-3491	H.F. 687	Horn of Linn
H-3492	H.F. 680	Welsh of Dubuque

On motion by Halvorson of Clayton the House was recessed at 9:05 a.m., until 7:30 p.m.

EVENING SESSION

The House reconvened at 7:30 p.m. for a joint Senate and House memorial session, De Groot of Lyon in the chair.

JOINT MEMORIAL SERVICE

House Chamber 7:30 p.m.

Prelude Grave

- Gavotte Aria J. B. Loeillet
- Sonata #7 for Piano and Flute
- Dianne Pope and Martha Willits, Des Moines

Invocation Representative Lester Menke, Calumet

IOWA LAWMAKERS

By Representative Jean Lloyd-Jones, Iowa City

They also climbed the granite steps
And marvelled at these marble halls,
Complained of draughty meeting rooms
and icy winter mornings.

They studied and amended bills,
Contended with each other,
They spoke sometimes with eloquence,
sometimes in jest.

And they, as we, were proud and modest,
Sensitive and arrogant;
No better and no worse than those who chose them.
But set apart somehow, because they dared to
walk the lone, uncertain way.

And we, as they, by time oppressed
Put doubt aside, and cast our vote.
And then move on
with gratitude for those who showed the way.

MEMORIALS—HOUSE

Reading: Representative Doug Ritsema, Orange City

“My Tribute” Andrae Crouch
Clarretta De Groot, Clerk to Representative Kenneth De Groot/
Representative Nancy Shimanek, Monticello, Accompanist

MEMORIALS—HOUSE AND SENATE

Reading: Senator Merlin D. Hulse, Clarence

“I Know Not What The Future Hath” Luigi Zaninelli
Legislative Chorus; Representative Reid W. Crawford, Ames, Director
Representative Nancy Shimanek, Accompanist

MEMORIALS—HOUSE

Reading: Representative Donald Binneboese, Hinton

“Cabin in Gloryland” Traditional
Representative Andy McKean, Morley, Soloist and Accompanist

MEMORIALS—SENATE

Reading: Senator Rolf V. Craft, Decorah

“The Lord is My Shepherd” Henry Smart
Senator Joann Orr, Grinnell and Senator Sue Yenger, Ottumwa
Representative Nancy Shimanek, Accompanist

MEMORIALS—HOUSE

Reading: Representative W. W. “Bill” Dieleman, Pella

“America, The Beautiful” Bates and Ward
Legislative Chorus

Benediction Senator Arthur L. Gratias, Nora Springs

“The Lord Bless You and Keep You” Peter C. Lutkin
Legislative Chorus

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable X. T. Prentis (Ringgold, Decatur and Union Counties) House— 48th,
49th, 50th, 50x and 51st. Senate— 53rd, 54th, 55th, 56th, 57th, 58th and 59th.

Honorable Harry E. Weichman (Benton County) House— 47th, 48th, 49th, 50th, 50x, 51st, 52nd and 53rd. (Benton and Tama Counties) Senate— 54th and 55th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Lynn Battles, Sr. (Jackson County) 62nd and 63rd.

Honorable Fred R. Blythe (Iowa County) 41st, 42nd and 42x.

Honorable Elmer H. Den Herder (Sioux County) 57th, 58th, 59th, 60th, 60x, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th and 67x.

Honorable Frederick B. Gilbert (Marshall County) 39th and 40th.

Honorable Howard A. Hamilton (Cedar County) 63rd and 64th.

Honorable Edna C. Lawrence (Wapello County) 52nd, 52x and 53rd.

Honorable Azel McIlrath (Poweshiek County) 42nd, 42x and 43rd.

Honorable Hugh Alfred Meacham (Poweshiek County) 60x and 61st.

Honorable Warren E. Simonsen (Cherokee County) 51st.

Honorable A. Gordon Stokes (Plymouth County) 59th, 60th, 60x, 61st, 62nd, 63rd and 64th.

Honorable Dewey Summa (Calhoun County) 58th and 59th.

SERVED IN THE SENATE

Honorable Edward J. Breen (Calhoun and Webster Counties) 47th and 48th.

Honorable Robert A. Rockhill (Marshall County) 51st and 52nd. Elected in 1944 to fill vacancy.

Honorable Martin Wiley (Linn County) 59th, 60th and 60x.

Candlelighters: Representative Daniel Jay, Moulton
 Representative Sue Mullins, Corwith
 Senator Norman J. Goodwin, DeWitt
 Senator Patrick J. Deluhery, Davenport

Host: Representative Thomas Lind, Waterloo
 Representative Rollin Howell, Marble Rock
 Senator Alvin V. Miller, Ventura
 Senator Clarence Carney, Sioux City
 Senator John W. Jensen, Plainfield
 Senator Arne Waldstein, Storm Lake

LEGISLATIVE CHORUS

House: Representatives Beje Clark, Walter Conlon, Sonja Egenes,
 Rod Halvorson, James Johnson, Doug Ritsema,
 Douglas Smalley, Harold Van Maanen; Laurie Anderson,
 Clarretta De Groot, Virginia Garretson, Joan Hansen, Barbara Harrison,
 Holly Higgins, Elizabeth Isaacson, Joyce Lewis, Carolyn Littrell,
 Maxine Mann, Harold Missman, Meredith Myers, Anita O'Gara,
 Chris Parmley, Mary Rhoads, Nancy Robertson, Mildred Schnekloth,
 Cameron Starr, M. L. Triggs, Maryjo Welch, David Wray, Jana Zinser

Senate: Senators Clarence Carney, Bob Carr, Joann Orr, Tom Slater,
 Sue Yenger; Golda Beals, Jacque Carney, Terri Hentges,
 Tammy Hoogendoorn, Bonnie King, Anne Moon, Tami Paulin, Linda Svoboda

Representative Reid W. Crawford, Ames, Director

Representative Nancy Shimanek, Monticello, Accompanist

HOUSE MEMORIAL COMMITTEE

Honorable Kenneth De Groot, Doon, Chair
 Honorable Reid Crawford, Ames
 Honorable W. W. (Bill) Dieleman, Pella
 Honorable Jean Lloyd-Jones, Iowa City

SENATE MEMORIAL COMMITTEE

Honorable Merlin D. Hulse, Clarence, Chair
 Honorable James Calhoun, Sioux City
 Honorable Rolf V. Craft, Decorah
 Honorable Alvin V. Miller, Ventura

On motion by Menke of O'Brien the House adjourned at 8:15
 p.m., until 2:00 p.m., Wednesday, March 21, 1979.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day — Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 21, 1979

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

Prayer was offered by the Reverend Isaac Meuzelaar pastor of the Tracy Christian Reformed Church, Tracy, Iowa.

The Journal of Tuesday, March 20, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hubiak, Odebolt, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque for the remainder of the day on request of Welsh of Dubuque.

PRESENTATION OF VISITORS

Johnson of Woodbury presented to the House the Honorable Louis A. Peterson, former member of the House representing Woodbury County.

Mullins of Kossuth presented to the House the Honorable Karl E. Kiilsholm, former member of the House representing Kossuth County.

Connors of Polk presented to the House foreign exchange student, Christoph Lange of West Germany, presently attending East High School, Des Moines, Iowa. His host family is Mr. and Mrs. Ed Merriam.

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

Twenty-seven students from Gilmore City-Bradgate High School, Gilmore City, Iowa, accompanied by Velma Julufs. By Cochran of Webster.

Fifty fifth and sixth grade students from Pleasant Hill Elementary School, Des Moines, Iowa, accompanied by Michelle Morris and Joyrene Sandin. By Woods of Polk.

PETITIONS FILED

The following petitions were received and placed on file:

By Danker of Pottawattamie, from seven citizens favoring legislation authorizing the construction of an overpass over the tracks of the Chicago & North Western Railway at its intersection with U.S. Highway 30 on the western boundary of the City of Missouri Valley, Iowa, and authorizing the state of Iowa to pay all of Missouri Valley's share of cost of the construction.

By Gettings of Wapello, from three hundred fifty-six constituents opposing Senate File 120, an act relating to protective headgear for motorcycle riders.

By Lind of Black Hawk, from sixteen constituents of the thirty-third district favoring Study Bill 221, an act relating to the use of watercraft on artificial lakes.

INTRODUCTION OF BILLS

House File 693, by committee on ways and means, a bill for an act providing for the deduction of the federal income tax accrued for the tax year in computing the state individual and corporate income tax for that tax year.

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

House File 694, by committee on appropriations, a bill for an act making supplemental appropriations to the state department of transportation from the road use tax fund and the primary road fund for salaries, support, maintenance and miscellaneous purposes, administering the merit system, and unemployment compensation.

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

House File 695, by committee on education, a bill for an act relating to the date requirements for calling a special election for the issuance of certain general obligation bonds for school districts.

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 on March 20, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 158, a bill for an act relating to financial transactions involving loans and providing for the restriction or regulation of the use of share drafts drawn on credit unions.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 371, a bill for an act relating to the exemption from the length of school year requirements for certain school districts.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 9, a joint resolution to create a special study committee on county statutes and to make an appropriation.

Read first time and **passed on file.**

Senate File 230, a bill for an act relating to the appointment of interpreters for persons with speech or hearing impairments.

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

Senate File 361, a bill for an act increasing the share of the surviving spouse under the intestate succession laws.

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

Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation.

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

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 226 State Government

Relating to the licensing and regulation of social workers and master social workers, and providing penalties for violations.

S.B. 227 State Government

Relating to the administration of the Iowa national guard.

S.B. 228 Energy

Relating to the inspection of gas and electric meters.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 2:00 p.m., March 20, 1979

Convened: 2:00 p.m.

Adjourned: 4:00 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Conlon, Corey, Doyle, Hibbs, Holt, Johnson of Howard, Lloyd-Jones, Lonergan, Maulsby, Rapp, Smalley, Walter and Welsh.

Absent: Arnould (arrived at 2:20 p.m.), Clark of Cerro Gordo (arrived at 2:20 p.m.), Jesse (arrived at 2:20 p.m.) and Pelton (arrived at 2:25 p.m.).

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act making supplemental appropriations to the state department of transportation from the road use/tax fund and the primary road fund for salaries, support, maintenance and miscellaneous purposes, administering the merit system, and unemployment compensation.

Recommended **Do Pass**.

COMMITTEE ON CITIES

Committee Bill (Formerly House File 429), a bill for an act to require that vacancies in elective city offices be filled by appointment only for the period until the next succeeding city election.

Recommended **Amend and Do Pass**.

COMMITTEE ON ENERGY

Study Bill 30, permitting fuel distributors and dealers to purchase fuel from other than the grantor of a franchise.

Recommended **Do Pass**.

Study Bill 90, relating to hazardous waste management and providing penalties and injunctive relief.

Recommended **Do Pass**.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Study Bill-223, to establish a legislative penal and correctional review committee.

Recommended **Do Pass**.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Study Bill 52, relating to domestic abuse and providing a penalty.

Recommended **Amend and Do Pass**.

Fiscal note is required.

Study Bill 183, relating to the regulation of securities transactions.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 216, to effect of merger or consolidation.

Recommended **Amend and Do Pass**.

Fiscal note is not required.

Study Bill 217, to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 222, to legalize proceedings taken in Linn County, Iowa, relating to the sale of property.

Recommended **Do Pass**.

Fiscal note is not required.

Study Bill 225, relating to shares of a professional corporation may be issued to and treasury shares may be disposed of, only to individuals who are licensed to practice in this state, or in any other state, a profession which the corporation is authorized to practice.

Recommended **Do Pass**.

Fiscal note is not required.

Committee Bill (Formerly House File 189), a bill for an act to legalize the proceedings of the city of Havelock, Iowa in connection with the letting of certain contracts.

Recommended **Do Pass**.

Fiscal note is not required.

Committee Bill (Formerly House File 249), a bill for an act relating to the legalization and validation of proceedings taken by the board of supervisors of Allamakee county relating to the remodeling and repair of the Allamakee county care facility and to authorize payments for additional costs incurred if the payments can be accomplished without a levy of additional taxes.

Recommended **Do Pass**.

Fiscal note is not required.

Committee Bill (Formerly House File 296), a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts.

Recommended Do Pass.

Fiscal note is not required.

Committee Bill (Formerly House File 300), a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property.

Recommended Do Pass.

Fiscal note is not required.

Committee Bill (Formerly House File 322), a bill for an act relating to the information to be furnished a jury commission for use in drawing jury lists.

Recommended Amend and Do Pass.

Fiscal note is not required.

Committee Bill (Formerly House File 617), a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County relating to the sale of all of their interest in and to lot 3 of Block 1 of the original town of Cincinnati, Appanoose County, Iowa.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON STATE GOVERNMENT

Study Bill 161, relating to the liability of the State of Iowa for actions occurring while the national guard is not in state service.

Recommended Amend and Do Pass.

Fiscal note is not required.

Study Bill 219, relating to the treasurer of a county or district fair society.

Recommended Do Pass.

Fiscal note is not required.

Committee Bill (Formerly House File 217), a bill for an act authorizing certain preparations for and prescribing a procedure for the redistricting of the general assembly and the redrawing of congressional districts following the 1980 federal decennial census.

Recommended Do Pass.

Fiscal note is required.

Committee Bill (Formerly House File 428), a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

Recommended Amend and Do Pass.

Fiscal note is required.

COMMITTEE ON TRANSPORTATION

Study Bill 220, relating to the licensing of travel trailer dealers, manufacturers, distributors, manufacturer's representatives and distributor's representatives, and providing a penalty.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H-3493	H.F. 679	Schroeder of Pottawattamie
H-3494	S.F. 164	Hummel of Benton
H-3495	H.F. 485	Schroeder of Pottawattamie
H-3496	H.F. 485	Thompson of Polk
H-3497	H.F. 687	Horn of Linn
H-3498	H.F. 485	Jay of Appanoose
		Halvorson of Webster
H-3499	H.F. 691	Krewson of Polk
		Walter of Pottawattamie
		Ritsema of Sioux
		Dieleman of Marion
H-3500	H.F. 691	Kirkenslager of Des Moines
		Bina of Scott
		Shimanek of Jones
H-3501	H.F. 691	Walter of Pottawattamie
H-3502	H.F. 687	Shimanek of Jones
		Johnson of Howard
H-3503	H.F. 687	Johnson of Howard
		Shimanek of Jones
H-3504	H.F. 687	Shimanek of Jones
		Johnson of Howard
H-3505	H.F. 691	Patchett of Johnson
		Walter of Pottawattamie
H-3506	H.F. 691	Gettings of Wapello
		Miller of Buchanan
		Binneboese of Plymouth

H-3507

H.F. 691

Byerly of Polk
Patchett of Johnson
Rapp of Black Hawk

On motion by Halvorson of Clayton the House adjourned at 5:07 p.m., until 10:00 a.m., Thursday, March 22, 1979.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar — Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 22, 1979

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

Prayer was offered by the Reverend Delmar Carlson, pastor of the Bethlehem Lutheran Church, Cherokee, Iowa.

The Journal of Wednesday, March 21, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Richard Rogers, Eldora, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, for the morning session, on request of Pope of Polk; Jochum of Dubuque, for a portion of the day, on request of Welsh of Dubuque.

PRESENTATION OF VISITORS

Crawford of Story presented to the House, Professor Sanford Greenfield, Chairman of the Department of Architecture, Professor Karol Kocimski and John Nolan, all from Iowa State University, accompanied by the following faculty and students presently attending Iowa State University under a Foreign Exchange Program. From the Urban Design and Planning Institute, Technical University, Krakow, Poland, were the following faculty members: Professor Witold Ceckiewicz, Dr. Andrezez Wyzykowski, Andrezez Ogorzalek, Stanislaw Denko, and Dr. Agniesaka Peckowska. Students introduced were: Tomasz Basista, Anna Franta, Artur Jasinski, Bogna Nastaborksa, Anna Penek, Jacek Pencakowski, and Maciej Skoczek. Also, Professor Noel Moffett from the United Kingdom.

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

Sixteen students from Burlington Community High School, Burlington, Iowa, accompanied by Lyle Ebner and Dick Wagner. By Kirkenlager of Des Moines.

Ten Cadette and Senior Girl Scouts from Shenandoah, Iowa, accompanied by Mrs. Gerald Hickey, Diana Swanson, Helen Good and Betty Vermillion. By Harbor of Mills.

Seventy government students from Creston High School, Creston, Iowa, accompanied by John Rose. By Hullinger of Decatur and Pellett of Cass.

INTRODUCTION OF BILLS

House File 696, by committee on judiciary and law enforcement, a bill for an act legalizing proceedings taken in Linn county, Iowa, relating to the sale of property.

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

House File 697, by committee on education, a bill for an act authorizing merged areas to acquire and operate student residence halls, dormitories, and student centers including dining and parking facilities, and to finance the cost with revenue bonds.

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

House File 698, by committee on transportation, a bill for an act relating to the licensing of travel trailer dealers, manufacturers, distributors, manufacturer's representatives and distributor's representatives, and providing a penalty.

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

House File 699, by committee on labor and industrial relations, a bill for an act to establish a legislative penal and correctional review committee.

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

House File 700, by committee on natural resources, a bill for an act to provide a penalty for the use of a license for the taking of fish and animals obtained by another or by giving false information.

Read first time and placed on the calendar.

SENATE MESSAGE CONSIDERED

Senate File 371, a bill for an act to provide an exemption from the length of school year requirements for certain school districts.

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

QUORUM CALL

Roll call was requested by Pope of Polk and Halvorson of Clayton to determine that a quorum was present.

Present, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lura	Maulsby	McKean
Menke	Miller	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

Absent, 7:

Byerly	Chiodo	Horn	Jochum
Lorenzen	Mullins	Patchett	

CONSIDERATION OF BILLS
Regular Calendar

House File 680, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans, was taken up for consideration.

Cusack of Scott offered the following amendment H—3444 filed by Cusack, et al.:

H—3444

1 Amend House File 680 as follows:
2 1. Page 1, by striking lines 1 through 10 and
3 inserting in lieu thereof the following:
4 "Section 1. Section ninety-seven A point six
5 (97A.6), subsection one (1), paragraph b, Code 1979,
6 is amended by striking the paragraph."
7 2. Page 1, by striking line 11 through page 2,
8 line 22, and inserting in lieu thereof the following:
9 "Sec. 2. Section ninety-seven B point forty-five
10 (97B.45), unnumbered paragraphs two (2) and three
11 (3), Code 1979, are amended by striking the paragraphs
12 and inserting in lieu thereof the following:
13 An employer shall not prescribe retirement at a
14 specific age, but shall base retirement policies on
15 ability of the member to perform the job.
16 Sec. 3. Section ninety-seven B point forty-six
17 (97B.46), Code 1979, is amended to read as follows:
18 97B.46 SERVICE AFTER AGE SIXTY-FIVE. A member
19 may, on the request of the employer, remain in the
20 active employ of the employer beyond the date the
21 member attains the age of sixty-five for such period
22 or periods as the employer from time to time shall
23 approve, provided, however, that credit for such
24 service shall cease when contributions cease as
25 provided in section 97B.11. The member shall retire
26 at the end of the last approved period, on the first
27 day of the month in which the member retires, except
28 that such date shall be after the last day of service.
29 A member remaining in service after attaining the
30 age of seventy years shall be entitled to receive
31 a retirement allowance under section 97B.49 as
32 applicable commencing with payment for the calendar
33 month within which the written notice is submitted
34 to the department, except that if the member fails
35 to submit the notice on a timely basis, retroactive
36 payments shall be made for no more than six months
37 immediately preceding the month in which the written
38 notice is submitted.

39 The employer shall base approval for continuation
 40 of active employment of a member who has attained
 41 the age of sixty-five upon the employee's ability
 42 to perform the job, and age shall not be considered
 43 as a factor."

44 3. Page 2, by striking line 23 through page 3,
 45 line 10, and inserting in lieu thereof the following:

46 "Sec. 4. Section four hundred ten point six
 47 (410.6), unnumbered paragraph two (2), Code 1979,
 48 is amended by striking the paragraph.

49 Sec. 5. Section four hundred eleven point six
 50 (411.6), subsection one (1), paragraph b, Code 1979,

Page 2

1 is amended by striking the paragraph and renumbering
 2 the remaining paragraph."

3 4. Page 3, by striking line 11 through page 5,
 4 line 5, and inserting in lieu thereof the following:

5 "Sec. 6. Section six hundred one A point thirteen
 6 (601A.13), Code 1979, is amended by adding the
 7 following new unnumbered paragraph:

8 **NEW UNNUMBERED PARAGRAPH.** However, a retirement
 9 plan or benefit system shall not require the
 10 involuntary retirement of a person because of that
 11 person's age. An employer is not required to provide
 12 the same pension, retirement, or insurance benefits
 13 to all employees where the cost varies with the age
 14 of the individual employee. Business necessity or
 15 bona fide underwriting criteria shall be the only
 16 basis used by employers for providing different
 17 benefits to employees of different ages unless the
 18 benefits are provided under a retirement plan or
 19 benefit system adopted as a subterfuge to evade the
 20 purposes of this chapter. The existence of a provision
 21 in a retirement plan stating a maximum eligibility
 22 age for entrance into a retirement plan shall not
 23 authorize the rejecting from employment of an applicant
 24 who is over the maximum eligibility age for the
 25 retirement plan. This section does not require an
 26 employer to hire back an employee following retirement,
 27 or to hire an applicant for employment whose age is
 28 over the retirement age under the employer's retirement
 29 plan or benefit system, if the plan or system is not
 30 a mere subterfuge for the purposes of evading the
 31 provisions of this chapter."

32 5. By renumbering the sections to conform with
 33 this amendment.

Menke of O'Brien rose on a point of order that amendment
 H-3444 was not germane.

The Speaker ruled the point well taken and amendment H-3444 not germane.

Cusack of Scott moved that the rules be suspended for the consideration of amendment H-3444.

Roll call was requested by Patchett of Johnson and Bina of Scott.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-3444?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Howell
Hullinger	Husak	Jay	Jesse
Lloyd-Jones	Lqnergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Welsh	Woods	

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lura	Maulsby	McKean
Menke	Pellett	Pelton	Poffenberger
Pope	Schneklloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 10:

Chiodo	Connors	Daggett	Doyle
Horn	Jochum	Lorenzen	Mullins
Ritsema	Wells		

The motion lost.

Larsen of Wapello offered the following amendment H—3446 filed by her and Perkins of Greene:

H—3446

- 1 Amend House File 680 as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:
- 4 "Sec. 5. Section one hundred seven point thirteen
- 5 (107.13), Code 1979, is amended to read as follows:
- 6 107.13 OFFICERS AND EMPLOYEES. The director
- 7 shall, with the consent of the commission, employ
- 8 the number of assistants, including a professionally
- 9 trained state forester, that are necessary to carry
- 10 out the duties imposed on the commission; and, under
- 11 the same conditions, the director shall appoint the
- 12 number of officers and supervisory personnel that
- 13 are necessary to enforce the laws and rules and
- 14 regulations, the enforcement of which are imposed
- 15 on the commission. The officers and supervisory
- 16 personnel shall have the same powers that are conferred
- 17 by law on peace officers in the enforcement of the
- 18 laws of the state of Iowa and the apprehension of
- 19 violators. Any person appointed as a full-time officer
- 20 shall be at least twenty-two years of age, but not
- 21 more than thirty-one years of age, on the date of
- 22 his appointment. Officer means any person appointed
- 23 by the state conservation commission to enforce the
- 24 laws of this state under the jurisdiction of the
- 25 commission."
- 26 2. By renumbering the sections to conform with
- 27 this amendment.

Menke of O'Brien rose on a point of order that amendment H—3446 was not germane.

The Speaker ruled the point well taken and amendment H—3446 not germane.

Welsh of Dubuque offered the following amendment H—3492 filed by him:

H—3492

- 1 Amend House File 680 as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:
- 4 "Sec. 5. Section one hundred seven point thirteen

5 (107.13) Code 1979, is amended to read as follows:
6 107.13 OFFICERS AND EMPLOYEES. The director
7 shall, with the consent of the commission, employ
8 the number of assistants, including a professionally
9 trained state forester, that are necessary to carry
10 out the duties imposed on the commission; and, under
11 the same conditions, the director shall appoint the
12 number of officers and supervisory personnel that
13 are necessary to enforce the laws and rules and
14 regulations, the enforcement of which are imposed
15 on the commission. The officers and supervisory
16 personnel shall have the same powers that are conferred
17 by law on peace officers in the enforcement of the
18 laws of the state of Iowa and the apprehension of
19 violators. Any person appointed as a full-time officer
20 shall be at least ~~twenty-two~~ twenty-one years of age,
21 but not more than ~~thirty-one~~ thirty-five years of
22 age, on the date of his appointment. Officer means
23 any person appointed by the state conservation
24 commission to enforce the laws of this state under
25 the jurisdiction of the commission."
26 2. By renumbering the sections to conform with
27 this amendment.

Menke of O'Brien rose on a point of order that amendment H-3492 was not germane.

The Speaker ruled the point well taken and amendment H-3492 not germane.

Brandt of Black Hawk offered the following amendment H-3409 filed by Brandt, et al.:

H-3409

- 1 Amend House File 680 as follows:
- 2 1. Page 3, by striking lines 11 through 24.

Cochran of Webster rose on a point of order that amendment H-3409 was not germane.

The Speaker ruled the point not well taken and amendment H-3409 germane.

Brandt of Black Hawk moved the adoption of amendment H-3409.

Roll call was requested by Sherzan of Polk and Patchett of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H-3409 be adopted?"

The ayes were, 75:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Johnson, R.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lura	McKean	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Thompson	Tofte	Van Maanen	Walter
Wells	Welsh	West	

The nays were, 20:

Anderson, J.	Bennett	Crabb	Danker
Halvorson, R.A.	Hansen, I.	Harbor	Holt
Johnson, J.	Johnson, W.	Lorenzen	Maulsby
Menke	Pellett	Pope	Schnekloth
Swearingen	Tyrrell	Welden	Mr. Speaker

Absent or not voting, 5:

Chiodo	Jochum	Mullins	Schroeder
Woods			

Amendment H-3409 was adopted placing out of order amendment H-3438 (to page 3) filed by Patchett of Johnson and Rapp of Black Hawk on March 15, 1979.

Byerly of Polk asked and received unanimous consent to withdraw amendment H-3461, to amendment H-3422, (to page 4) filed by him on March 16, 1979.

Byerly of Polk offered the following amendment H—3462 filed by him and moved its adoption:

H—3462

- 1 Amend House File 680 as follows:
- 2 1. Page 4, by striking lines 8 through 12.

Amendment H—3462 was adopted.

Pope of Polk offered the following amendment H—3422 filed by him:

H—3422

- 1 Amend House File 680 as follows:
- 2 1. Page 4, by striking lines 18 through page 5
- 3 line 5.

The House stood at ease temporarily until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Action on amendment H—3422 was temporarily deferred by unanimous consent.

Cusack of Scott rose on a point of order that with the adoption of amendment H—3409, amendment H—3444 would now be germane.

The Speaker ruled the point well taken and amendment H—3444 germane.

The House resumed consideration of amendment H—3444. Division was requested as follows: All of page 1 and lines 1 and 2 of page 2 to be amendment H—3444A; lines 3 through 33, page 2, to be amendment H—3444B.

Action on amendments H—3444A and H—3444B was temporarily deferred.

The House resumed consideration of amendment H—3422.

Pope of Polk moved the adoption of amendment H—3422.

Roll call was requested by Pope of Polk and Patchett of Johnson.

On the question "Shall amendment H—3422 be adopted?"

The ayes were, 77:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Gettings	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jesse
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lloyd-Jones	Lorenzen
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pellett	Pelton	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Sherzan
Shimanek	Shull	Spear	Stromer
Thompson	Tofte	Van Maanen	Walter
Welden	Welsh	West	Woods
Mr. Speaker			

The nays were, 15:

Branstad	Conlon	Davitt	Dieleman
Doyle	Hall	Hanson, D.	Johnson, J.
Larsen	Lura	Maulsby	Pavich
Smalley	Tyrrell	Wells	

Absent or not voting, 8:

Chiodo	Hinkhouse	Husak	Jochum
Lonergan	Perkins	Schroeder	/Swearingen

Amendment H—3422 was adopted placing out of order amendment H—3444B.

(House File 680 pending at recess.)

MOTION TO RECONSIDER WITHDRAWN
(House File 671)

Pellett of Cass asked and received unanimous consent to withdraw the motion to reconsider House File 671 filed by him on March 19, 1979.

On motion by Halvorson of Clayton the House was recessed at 12:17 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

Shull of Warren presented to the House, the Honorable James Middleswart, former member of the House representing Warren County.

Doyle of Woodbury presented to the House, the Honorable Bernard Balch, former member of the House representing Black Hawk County.

QUORUM CALL

Roll call was requested by Harbor of Mills and Danker of Pottawattamie to determine that a quorum was present.

Present, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
West	Woods	Mr. Speaker	

Absent, 17:

Bina	Chiodo	Clark, B.J.	Connors
Davitt	Evans	Hinkhouse	Husak
Jesse	Jochum	Mullins	Patchett
Perkins	Poffenberger	Rapp	Shull
Welsh			

BUSINESS PENDING

The House resumed consideration of **House File 680**, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans, and amendment H-3444A. Further division of amendment H-3444A was requested as follows: Lines 2 through 6, page 1, to be amendment H-3444C; lines 44 through 50, page 1, and lines 1 and 2, page 2, to be amendment H-3444D.

Cusack of Scott moved the adoption of amendment H-3444A.

Roll call was requested by Crabb of Crawford and Cusack of Scott.

On the question "Shall amendment H-3444A be adopted?"

The ayes were, 56:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Cusack	Davitt	Dieleman
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Krewson	Lloyd-Jones	Lonergan
McKean	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Smalley
Spear	Walter	Wells	Woods

The nays were, 40:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Halvorson, R.A.

Hansen, I.	Harbor	Hoffmann	Holt
Johnson, J.	Johnson, R.	Johnson, W.	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Pellet	Pope
Schnekloth	Schroeder	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 4:

Chiodo	Evans	Hummel	Welsh
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Amendment H—3444A was adopted.

Pope of Polk moved to reconsider the vote by which amendment H—3422 was adopted by the House on March 22, 1979.

A non-record roll call was requested.

The ayes were 62, nays 32.

The motion prevailed and the House reconsidered amendment H—3422.

Johnson of Howard offered the following amendment H—3512, to amendment H—3422, filed from the floor by Johnson of Howard, Davitt, Tyrrell, Daggett, Van Maanen, De Groot and Branstad:

H—3512

- 1 Amend amendment H—3422, to House File 680, as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3 and inserting
- 4 in lieu thereof the following:
- 5 "1. Page 4, by striking lines 18 through page 5
- 6 line 5, and inserting in lieu thereof the following:
- 7 "NEW UNNUMBERED PARAGRAPH. A temporary disability
- 8 or health insurance program provided by an employer
- 9 may exclude coverage of abortion, except where the
- 10 life of the mother would be endangered if the fetus
- 11 were carried to term or where medical complications
- 12 have arisen from an abortion." "

Byerly of Polk rose on a point of order that amendment H—3512 was not germane.

The Speaker ruled the point not well taken and amendment H—3512 germane.

Johnson of Howard moved the adoption of amendment H—3512, to amendment H—3422.

Roll call was requested by De Groot of Lyon and Branstad of Winnebago.

Rule 80 was invoked.

On the question "Shall amendment H—3512, to amendment H—3422, be adopted?"

The ayes were, 67:

Anderson, R.	Avenson	Bennett	Bina
Binneboese	Branstad	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hinkhouse
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Lind	Lonergan	Lorenzen	Lura
Maulsby	McKean	Miller	Norland
O'Kane	Oxley	Pavich	Pellett
Perkins	Ritsema	Schnekloth	Schroeder
Shimanek	Smalley	Spear	Stromer
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Woods	

The nays were, 31.

Anderson, J.	Arnould	Brandt	Bruner
Byerly	Clark, B.J.	Connors	Crawford
Egenes	Halvorson, R.N.	Harbor	Hibbs
Hoffmann	Jay	Jesse	Krewson
Larsen	Lloyd-Jones	Menke	Mullins
Patchett	Pelton	Poffenberger	Pope
Sherzan	Shull	Swearingen	Thompson
Tofte	West	Mr. Speaker	

Absent or not voting, 2:

Chiodo Rapp

Amendment H—3512 was adopted.

Byerly of Polk rose on a point of order that amendment H—3422, as amended, was not germane.

The Speaker ruled the point not well taken and amendment H—3422, as amended, germane.

Pope of Polk moved the adoption of amendment H—3422, as amended.

Roll call was requested by Byerly of Polk and Thompson of Polk.

On the question "Shall amendment H—3422, as amended, be adopted?"

The ayes were, 84:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Harbor	Hibbs	Hinkhouse
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Patchett	Pavich	Pellett
Perkins	Poffenberger	Pope	Ritsema
Schneklath	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Thompson
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 9:

Binneboese	Byerly	Hanson, D.	Jay
Lind	Lura	Pelton	Tofte
Welden			

Absent or not voting, 7:

Chiodo	Danker	Hoffmann	Oxley
Rapp	Schroeder	Swearingen	

Amendment H—3422, as amended, was adopted placing out of order amendment H—3444B.

Cusack of Scott asked and received unanimous consent to withdraw amendments H—3444C and H—3444D.

The following amendment, H—3511 filed by Conlon of Muscatine from the floor, was adopted by unanimous consent:

H—3511

- 1 Amend House File 680 as follows:
- 2 1. Amend the title, page 1, line 3, by
- 3 inserting after the word "plans" the following:
- 4 ", and providing an exemption for certain benefit
- 5 systems under section six hundred one A point
- 6 thirteen (601A.13)".

Menke 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. 680)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad,
Byerly	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lura	Maulsby
McKean	Menke	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Rapp	Schneklath
Sherzan	Shull	Smalley	Spear
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 15:

Brandt	Bruner	Clark, B.J.	Crabb
Egenes	Krewson	Lorenzen	Mullins
Pellett	Poffenberger	Pope	Ritsema
Schroeder	Swearingen	Welden	

Absent or not voting, 2:

Chiodo	Shimanek
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 485, a bill for an act to require fiscal notes on proposed legislation and administrative rules which impose increased expenditures or fiscal liability, or reduce the revenues, of the political subdivisions of this state, and to provide for delayed effective dates, with report of committee recommending amendment and passage was taken up for consideration.

Thompson of Polk asked and received unanimous consent to withdraw amendment H—3496 (to page 1) filed by her on March 21, 1979.

Crawford of Story offered amendment H—3439 filed by the committee on state government on March 15, 1979 and found on page 983 of the House Journal and moved its adoption.

Amendment H—3439 was adopted.

Norland of Worth offered the following amendment H—3457 filed by him:

H—3457

- 1 Amend House File 485 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. **NEW SECTION. DEFINITIONS.** As used
- 5 in this Act unless the context otherwise requires:
- 6 1. "Political subdivision" means a city, county,
- 7 school district or special district created under
- 8 chapter three hundred fifty-seven (357), three hundred
- 9 fifty-seven A (357A), three hundred fifty-seven B
- 10 (357B), three hundred fifty-seven C (357C) or three
- 11 hundred fifty-eight (358) of the Code.
- 12 2. "State mandate" means a state constitutional

13 provision, statutory provision or administrative rule
 14 requiring a political subdivision of this state to
 15 undertake a specified activity or provide a service
 16 meeting minimum state standards.

17 3. "State-mandated cost" means an increased cost
 18 which a political subdivision of this state is required
 19 to incur as a result of the following:

20 a. A statute enacted after January 1, 1980, which
 21 mandates a new program or an increased level of service
 22 of an existing program.

23 b. An administrative rule issued after January
 24 1, 1980, which mandates a new program or service or
 25 which implements or interprets a state statute and,
 26 by the implementation or interpretation, increases
 27 program or service levels above the levels required
 28 before January 1, 1980.

29 c. A statute enacted or administrative rule issued
 30 after January 1, 1980, which results in a revenue
 31 loss from a new exemption from property taxation or
 32 gross receipts tax.

33 4. "State board" means the state mandate appeal
 34 board."

35 2. By striking page 2, line 22 through page 3,
 36 line 17 and inserting in lieu thereof the following:

37 "Sec. 4. NEW SECTION. REIMBURSEMENT FOR STATE-
 38 MANDATED COSTS.

39 1. A political subdivision shall be reimbursed
 40 for state-mandated costs from funds appropriated by
 41 the general assembly for that purpose. The costs
 42 specified under section five (5) of this Act are
 43 excluded from reimbursement.

44 2. The state comptroller shall administer the
 45 state-mandated cost reimbursement program. For the
 46 initial fiscal year during which a reimbursable state-
 47 mandated cost is incurred, a political subdivision
 48 shall submit a claim to the comptroller within forty-
 49 five days after the mandate is effective for payment
 50 of its estimated costs required for that fiscal year.

Page 2

1 If a political subdivision does not submit the claim
 2 within the forty-five days, the claim may be submitted
 3 concurrently with the claim for reimbursement for
 4 the next fiscal year without penalty as provided in
 5 subsection four (4) of this section. For reimbursable
 6 state-mandated costs incurred in a subsequent fiscal
 7 year, the claim shall be submitted to the state
 8 comptroller by October thirty-first. Before paying
 9 a claim, the state comptroller may audit the records
 10 of the political subdivision, may reduce a claim which

11 is determined to be excessive or unreasonable, and
12 shall adjust the payment to correct an underpayment
13 or overpayment which occurred in the preceding fiscal
14 year.

15 3. If the amount appropriated for reimbursement
16 purposes is not sufficient to pay all the claims
17 approved by the state comptroller or the state board,
18 the state comptroller shall prorate the claims in
19 proportion to the dollar amount of approved claims
20 which were filed on time and on hand at the deadline
21 for filing claims as provided in subsection two (2)
22 of this section. The state comptroller shall adjust
23 prorated claims if additional funds are appropriated
24 for this purpose. If the state comptroller finds
25 it necessary to prorate claims as provided in this
26 subsection, the state comptroller shall immediately
27 report this action to the legislative fiscal bureau
28 and the chairpersons of the appropriation committees
29 of the general assembly.

30 4. If a political subdivision submits an otherwise
31 valid claim to the state comptroller after the deadline
32 specified in subsection two (2) of this section, the
33 state comptroller shall pay the claim in an amount
34 equal to eighty percent of the amount which would
35 have been allowed under subsection two (2) of this
36 section. A claim which is filed within the deadline
37 shall be paid in full before payments are made on
38 claims filed after the deadline. If the amount
39 appropriated for reimbursement purposes is not
40 sufficient to pay the late claims approved by the
41 state comptroller or the state board, the state
42 comptroller shall prorate the claims in proportion
43 to the dollar amount of the approved claims filed
44 after the deadline and report the need for proration
45 to the legislative fiscal bureau and the chairpersons
46 of the appropriation committees of the general
47 assembly.

48 Sec. 5. NEW SECTION. EXCLUSION FROM REIMBURSEMENT.

49 A claim for state reimbursement shall not be approved
50 or paid under section four (4) or six (6) of this

Page 3

1 Act if:

2 1. The state-mandate results from the requirements
3 of a federal law or regulation or a final court order
4 unless the state-mandated costs exceed the mandate
5 of the federal law or regulation or final court order.

6 2. The costs result from a statute requested by
7 a political subdivision. For the purposes of this
8 subsection, a resolution from the governing body of

9 a political subdivision or a letter from a delegated
 10 representative of the governing body which requests
 11 legislative authorization for that political
 12 subdivision to implement a specific program shall
 13 constitute a request, but a request to implement an
 14 existing reimbursable mandate in an alternative manner
 15 does not constitute a request.

16 3. The state mandate provides for self-financing
 17 authority other than property taxation unless the
 18 mandated costs exceed the revenue from the additional
 19 self-financing authority.

20 4. The state mandate provides for savings to
 21 offset costs to the political subdivision resulting
 22 in no net cost to the political subdivision.

23 5. The state mandate creates a new crime or changes
 24 the penalty for a crime, but only the costs of that
 25 part of the statute directly relating to the
 26 enforcement of the crime are excluded from
 27 reimbursement.

28 6. The state-mandated costs are two hundred dollars
 29 or less per annum per political subdivision.

30 7. The state mandate imposes a duty which can
 31 be implemented by existing staff with no additional
 32 net cost.

33 8. The state mandate results in a revenue loss
 34 from an exemption to taxes other than a property tax
 35 or gross receipts tax.

36 9. A statute contains a provision excluding
 37 reimbursement of the cost of implementing a state
 38 mandate.

39 Sec. 6. NEW SECTION. APPEAL OF CLAIMS.

40 1. A state mandate appeal board is created. The
 41 state board shall hear and decide claims by political
 42 subdivisions of this state that the political
 43 subdivisions has not been reimbursed for all state-
 44 mandated costs payable by the state as provided in
 45 section four (4) of this Act.

46 2. The membership of the state board shall consist
 47 of the governor or a designee of the governor, the
 48 auditor of state, the treasurer of state and two
 49 additional members who shall be full-time officers
 50 or employees of a political subdivision of this state.

Page 4

1 The governor's designee shall not be the state
 2 comptroller. The two additional members shall be
 3 appointed by the governor for two-year terms with
 4 the approval of two-thirds of the members of the
 5 senate. The term of office shall begin on January
 6 first of the year of appointment and an appointive
 7 member shall serve until a successor is appointed

8 and qualified. A vacancy shall be filled for the
9 unexpired term. The two additional members are
10 entitled to necessary travel and other expenses
11 incurred while engaged in the duties of office.

12 3. The state appeal board shall adopt procedures
13 for receiving claims under this section and for
14 providing hearings on the claims. The procedures
15 shall be adopted in accordance with chapter seventeen
16 A (17A) of the Code. The hearing procedure shall
17 provide for presentation of evidence by the claimant
18 and the state comptroller. The concurrence of a
19 majority of the board members shall be required to
20 approve a claim submitted under this section.

21 4. Claims submitted under this section for
22 reimbursement as provided under section four (4) of
23 this Act shall be limited to the following:

24 a. A claim alleging that the state comptroller
25 incorrectly reduced the payments to the political
26 subdivision under section four (4), subsection two
27 (2) of this Act.

28 b. A claim alleging that a reimbursement payment
29 was denied by the state comptroller because the cost
30 was incorrectly identified as a nonreimbursable cost
31 excluded from payment under section five (5) of this
32 Act.

33 5. The state board may increase, decrease or deny
34 a claim filed under this section. The decision of
35 the state board is final.

36 6. The state comptroller shall pay the amount
37 of a claim awarded under this section in the same
38 manner as claims are paid under section four (4) of
39 this Act. If sufficient funds are not available to
40 pay a claim, the state comptroller shall submit the
41 claim to the chairpersons of the appropriation
42 committees of the general assembly in the form of
43 an appropriation request.

44 **Sec. 7. NEW SECTION. EFFECTIVE DATE OF STATE**
45 **MANDATE.** A political subdivision shall not be required
46 to carry out a state mandate for which the political
47 subdivision is eligible for cost reimbursement under
48 this Act until the cost reimbursement has been received
49 from the state. This section shall not apply to a
50 political subdivision who has not filed for the

Page 5

1 reimbursement of state-mandated costs as provided
2 in section four (4) of this Act."

3 3. By renumbering sections and internal references
4 to sections to conform to this amendment.

Thompson of Polk rose on a point of order that amendment H—3457 was not germane.

The Speaker ruled the point well taken and amendment H—3457 not germane.

Norland of Worth moved that the rules be suspended for the consideration of amendment H—3457.

Roll call was requested by Harbor of Mills and Avenson of Fayette.

On the question "Shall the rules be suspended to consider amendment H—3457?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Chiodo	Clark, B.J.	Evans	Johnson, J.
Mullins			

The motion lost.

Arnould of Scott offered the following amendment H—3463 filed by him and moved its adoption:

H—3463

- 1 Amend House File 485 as follows:
- 2 1. Page 1, lines 5 and 6, by striking the words
- 3 "one hundred" and inserting in lieu thereof the word
- 4 "fifty".
- 5 2. Page 1, line 7, by striking the words "five
- 6 hundred" and inserting in lieu thereof the words "two
- 7 hundred fifty".
- 8 3. Page 2, line 25, by striking the words "one
- 9 hundred" and inserting in lieu thereof the word
- 10 "fifty".
- 11 4. Page 2, line 26, by striking the words "five
- 12 hundred" and inserting in lieu thereof the words "two
- 13 hundred fifty".
- 14 5. Page 2, line 33, by striking the words "one
- 15 hundred" and inserting in lieu thereof the word
- 16 "fifty".
- 17 6. Page 2, line 34, by striking the words "five
- 18 hundred" and inserting in lieu thereof the words "two
- 19 hundred fifty".

A non-record roll call was requested.

The ayes were 37, nays 52.

Amendment H—3463 lost.

Spear of Lee offered the following amendment H—3473 filed by him and moved its adoption:

H—3473

- 1 Amend House File 485 as follows:
- 2 1. Page 1, line 28, by inserting after the word
- 3 "draft" the words "of the bill or joint resolution".

Amendment H—3473 was adopted.

Spear of Lee offered the following amendment H—3474 filed by him and moved its adoption:

H—3474

- 1 Amend House File 485 as follows:
- 2 1. Page 1, line 33, by inserting after the word
- 3 "house" the words "as appropriate".

Amendment H—3474 was adopted.

Jay of Appanoose offered the following amendment H—3498 filed by him and Halvorson of Webster and moved its adoption:

H—3498

- 1 Amend House File 485 as follows:
- 2 1. Page 2, line 12, by striking the word
- 3 "revised".
- 4 2. Page 2, by striking line 13 and inserting in
- 5 lieu thereof the words "requested and prepared to
- 6 reflect the change in fiscal effect. However, a
- 7 request for such a".

Amendment H—3498 was adopted.

Spear of Lee offered the following amendment H—3480 filed by him:

H—3480

- 1 Amend House File 485 as follows:
- 2 1. Page 2, by striking lines 23 through 30 and
- 3 inserting in lieu thereof the following:
- 4 "1. If the last fiscal note issued under section
- 5 three (3) of this Act indicates that the bill or joint
- 6 resolution has the effect of reducing revenues or
- 7 increasing expenditures or the fiscal liability of
- 8 the political subdivisions of this state by one
- 9 hundred thousand dollars or more annually or a total
- 10 of five hundred thousand dollars or more within five
- 11 years after its effective date, the chief clerk or
- 12 the secretary of the house of origin shall attach
- 13 a statement to the enrolled bill or joint resolution
- 14 indicating that the bill or joint resolution, if
- 15 approved, shall not take effect until July first of
- 16 the year following the year of its enactment unless
- 17 another effective date is specified by the general
- 18 assembly."

Dieleman of Marion offered the following amendment H—3489, to amendment H—3480, filed by him:

H-3489

- 1 Amend H-3480 to House File 485 as follows:
- 2 1. Page 1, by striking lines 15 through 18
- 3 and inserting in lieu thereof the words: "approved,
- 4 shall not be effective until funds are appropriated
- 5 by the General Assembly to carry out the provisions
- 6 of the bill or joint resolution."

Thompson of Polk rose on a point of order that amendment H-3489 was not germane.

The Speaker ruled the point well taken and amendment H-3489 not germane.

Spear of Lee moved the adoption of amendment H-3480.

A non-record roll call was requested.

The ayes were 84, nays 1.

Amendment H-3480 was adopted.

Dieleman of Marion offered amendment H-3481 filed by him and requested division as follows:

H-3481

- 1 Amend House File 485 as follows:

H-3481A

- 2 1. Page 2, by striking lines 28 through 30 and
- 3 inserting in lieu thereof the following: "date, the
- 4 bill or joint resolution shall not be effective until
- 5 funds are appropriated by the general assembly to
- 6 carry out the provisions of the bill or joint
- 7 resolution."

H-3481B

- 8 2. Page 3, by striking lines 4 through 13 and
- 9 inserting in lieu thereof the following: "of the
- 10 state, the administrative rule shall not be effective
- 11 until funds are appropriated by the general assembly
- 12 to carry out the requirements of the administrative
- 13 rule."

With the adoption of amendment H—3480, the Speaker ruled amendment H—3481A out of order.

Thompson of Polk rose on a point of order that amendment H—3481B was not germane.

The Speaker ruled the point well taken and amendment H—3481B not germane.

Dieleman of Marion moved that the rules be suspended for the consideration of amendment H—3481B.

Roll call was requested by Anderson of Jasper and Jochum of Dubuque.

On the question "Shall the rules be suspended for the consideration of amendment H—3481B?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jochum	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 7:

Chiodo
Swearingen

Cochran
Welsh

Jesse
Woods

Ritsema

The motion lost.

Miller of Buchanan offered the following amendment H-3479 filed by him and moved its adoption:

H-3479

1 Amend House File 485 as follows:

2 1. Page 2, by inserting after line 30 the
3 following: "If the effective date of a bill or joint
4 resolution is delayed as provided in this subsection,
5 the chairperson, or his or her designee, of the
6 standing committee from which the bill or joint
7 resolution was reported, shall hold a public hearing
8 in each congressional district in which an affected
9 political subdivision is located. The public hearing
10 shall be held during the first six months following
11 the enactment of the bill or joint resolution for
12 the purpose of explaining to officials of the affected
13 political subdivisions and the public the reasons
14 why the legislation and accompanying expenditures
15 are necessary and how the legislation will affect
16 the political subdivisions."

17 2. Page 3, by inserting after line 13 the
18 following: "If the effective date of an administrative
19 rule is delayed as provided in this subsection, the
20 state agency promulgating the rule shall hold a public
21 hearing in each congressional district in which an
22 affected political subdivision is located. The public
23 hearing shall be held as soon as possible after the
24 rule is finalized, but not later than ninety days
25 before the effective date of the rule for the purpose
26 of explaining to officials of the affected political
27 subdivisions and the public the reasons why the rule
28 and accompanying expenditures are necessary and how
29 the rule will affect the political subdivisions."

Roll call was requested by Anderson of Jasper and Davitt of Warren.

On the question "Shall amendment H-3479 be adopted?"

The ayes were, 44:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Daggett
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Jay	Jochum
Lageschulte	Lind	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Shull	Spear	Van Maanen
Walter	Wells	Welsh	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Doyle	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Welden	West	Mr. Speaker

Absent or not voting, 4:

Arnould	Chiodo	Husak	Jesse
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Amendment H—3479 lost.

Dieleman of Marion asked and received unanimous consent to withdraw amendment H—3487 (to page 3) filed by him on March 20, 1979.

Schroeder of Pottawattamie asked for unanimous consent to withdraw amendment H—3495 (to page 3) filed by him on March 21, 1979.

Objection was raised.

Schroeder of Pottawattamie moved that amendment H—3495 be withdrawn.

A non-record roll call was requested.

The ayes were 56, nays 34.

The motion prevailed and amendment H—3495 was withdrawn, placing out of order amendment H—3508, to amendment H—3495, filed from the floor by Byerly of Polk and Norland of Worth.

Thompson 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. 485)

The ayes were, 73:

Anderson, J.	Anderson, R.	Bennett	Bina
Brandt	Branstad	Bruner	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Jay	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Oxley	Pellett	Pelton	Perkins
Poffenberger	Pope	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	West	Woods
Mr. Speaker			

The nays were, 26:

Arnould	Avenson	Binneboese	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Howell	Husak	Jesse
Jochum	Lloyd-Jones	Lonergan	Norland
O'Kane	Patchett	Pavich	Rapp
Ritsema	Welsh		

Absent or not voting, 1:

Chiodo

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

MOTION TO RECONSIDER TABLED

Thompson of Polk asked for unanimous consent to immediately message House File 485 to the Senate.

Objection was raised.

Thompson of Polk moved to reconsider the vote by which House File 485 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 52, nays 39.

The motion prevailed.

House File 691, a bill for an act setting a time limit on the current prohibition of charges by telephone companies for telephone directory assistance and requiring the commerce commission to study the matter, was taken up for consideration.

Krewson of Polk offered the following amendment H—3499 filed by Krewson, et al., and moved its adoption:

H—3499

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by striking lines 1 through 12.
- 3 2. Page 1, by striking lines 13 through 17, and
- 4 inserting in lieu thereof the following:
- 5 "Section 1. The Iowa state commerce commission
- 6 shall study the".

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3499 be adopted?"

The ayes were, 48:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Holt	Horn	Howell	Hullinger
Husak	Jesse	Jochum	Kirkenslager
Krewson	Lloyd-Jones	Lonergan	McKean
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Ritsema	Sherzan	Shimanek	Spear
Walter	Wells	Welsh	Woods

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Hummel	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Schneklloth	Schroeder	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Chiodo Clark, B.J.

Amendment H—3499 lost.

Halvorson of Clayton moved the previous question on amendments and amendments to amendments on House File 691.

Roll call was requested by Harbor of Mills and Danker of Pottawattamie.

On the question "Shall the previous question motion prevail?"

The ayes were, 52:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford

Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binnboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Krewson	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

Absent or not voting, 3:

Chiodo	Clark, B.J.	Ritsema
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The motion prevailed.

Halvorson of Clayton asked and received unanimous consent that action on House File 691 be deferred and that the bill be placed under unfinished business.

MOTION TO RECONSIDER (House File 680)

I move to reconsider the vote by which House File 680 passed the House on March 22, 1979.

LURA of Marshall

**REFERRED TO COMMITTEE ON WAYS AND MEANS
(House File 689)**

Speaker Millen announced that House File 689, presently on the regular calendar, was referred to the committee on ways and means.

**APPOINTMENTS BY THE SPEAKER
(House Administration Committee)**

Speaker Millen announced the appointment of Representative Robert F. Bina of Scott County to the House Administration Committee replacing Representative Carroll Perkins who resigned.

(Interstate Cooperation Commission)

Speaker Millen announced the appointment of the following members to fill unexpired terms on the Interstate Cooperation Commission: Representative Diane Brandt of Black Hawk County, Representative Herbert Hinkhouse of Cedar County, Representative Lester D. Menke of O'Brien County and Representative James C. West of Marshall County.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate File 284, an act authorizing cities and counties to issue revenue bonds under Chapter Four Hundred Nineteen (419) of the Code for the purpose of retiring the existing indebtedness of a health care facility, clinic or a voluntary nonprofit hospital.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 22nd day of March, 1979: House Joint Resolution 13.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PROOF OF PUBLICATION
(House File 696)

Published copy of House File 696 and verified proof of publication of said bill in The Cedar Rapids Gazette, a newspaper issued daily and printed at Cedar Rapids, Linn County, Iowa on March 9, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 230 Ways and Means

Relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land, by including transmission towers and antennae not a part of a household, and by providing that certain property is not attached when it ordinarily is removed when the property owner moves to another location.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House File 96), a bill for an act relating to powers of pipeline inspectors.

Recommended Amend and Do Pass.

Fiscal note is not required.

COMMITTEE ON ETHICS

Study Bill 229, relating to the conduct of public officials and employees and providing penalties.

Recommended Do Pass.

COMMITTEE ON HUMAN RESOURCES

Study Bill 96, to establish a state department of mental health, prescribe its powers and duties, transfer to it certain responsibilities presently imposed by law on the division of mental health of the department of social services, on the Iowa Mental Health authority, and on the Iowa department of substance abuse, and make amendments in conformity with these changes to various sections of the Code as necessary.

Recommended **Amend and Do Pass.**

COMMITTEE ON NATURAL RESOURCES

Study Bill 191, to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

Recommended **Do Pass.**

Study Bill 200, to provide a penalty for the use of a license for the taking of fish and animals obtained by another or by giving false information.

Recommended **Do Pass.**

Study Bill 203, relating to timber buyers and providing penalties.

Recommended **Amend and Do Pass.**

Study Bill 221, relating to the use of watercraft on artificial lakes under the jurisdiction of the Iowa state conservation commission.

Recommended **Amend and Do Pass.**

AMENDMENTS FILED

H-3509	H.F. 668	Johnson of Howard
H-3510	H.F. 687	Evans of Grundy
H-3513	H.F. 694	Cusack of Scott
H-3514	H.F. 235	Brandt of Black Hawk
H-3515	H.F. 670	Evans of Grundy
		Doyle of Woodbury
		Welden of Hardin
		Poffenberger of Dallas
H-3516	H.F. 691	Jesse of Polk
		Bina of Scott
H-3517	H.F. 235	Husak of Tama
H-3518	H.F. 679	Bennett of Ida
H-3519	H.F. 381	Hoffmann of Muscatine
H-3520	S.F. 299	Cochran of Webster
		Norland of Worth

H—3521	H.F. 670	O'Kane of Woodbury Jay of Appanoose
H—3522	H.F. 670	Welden of Hardin
H—3523	H.F. 670	Jay of Appanoose O'Kane of Woodbury
H—3524	H.F. 670	Welden of Hardin
H—3525	H.F. 235	Brandt of Black Hawk
H—3526	H.F. 235	Woods of Polk

On motion by Halvorson of Clayton the House adjourned at 5:58 p.m., until 10:00 a.m., Friday, March 23, 1979.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day — Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 23, 1979

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

Prayer was offered by the Reverend Max R. Bowlin pastor of the Calvary Baptist Church, Walnut, Iowa.

The Journal of Thursday, March 22, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashton McCrary, Lake City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury on request of Hullinger of Decatur.

INTRODUCTION OF BILLS

House File 701, by committee on human resources, a bill for an act to establish a state department of mental health, prescribe its powers and duties, transfer to it certain responsibilities presently imposed by law on the division of mental health of the department of social services and on the Iowa mental health authority, and make amendments in conformity with these changes to various sections of the Code as necessary.

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

House File 702, by committee on state government, a bill for an act relating to the treasurer of a county or district fair society.

Read first time and **placed on the calendar**.

House File 703, by committee on judiciary and law enforcement, a bill for an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant.

Read first time and **placed on the calendar.**

House File 704, by committee on judiciary and law enforcement, a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County relating to the sale of all of their interest in and to lot 3 of Block 1 of the original town of Cincinnati, Appanoose County, Iowa.

Read first time and **placed on the calendar.**

House File 705, by committee on natural resources, a bill for an act relating to the use of watercraft on artificial lakes under the jurisdiction of the Iowa state conservation commission.

Read first time and **placed on the calendar.**

House File 706, by committee on state government, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service.

Read first time and **placed on the calendar.**

House File 707, by committee on state government, a bill for an act authorizing certain preparations for and prescribing a procedure for the redistricting of the general assembly and the re-drawing of congressional districts following the 1980 federal decennial census.

Read first time and **placed on the calendar.**

House File 708, by committee on judiciary and law enforcement, a bill for an act to permit the issuance of shares of a professional corporation to persons who are licensed in other states to practice the profession which the corporation is licensed to practice in Iowa.

Read first time and **placed on the calendar.**

House File 709, by committee on judiciary and law enforcement, a bill for an act relating to domestic abuse and providing a penalty.

Read first time and **placed on the calendar.**

House File 710, by committee on judiciary and law enforcement, a bill for an act to legalize the proceedings of the city of Havelock, Iowa in connection with the letting of certain contracts.

Read first time and **placed on the calendar**.

House File 711, by committee on judiciary and law enforcement, a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts.

Read first time and **placed on the calendar**.

House File 712, by committee on judiciary and law enforcement, a bill for an act relating to the legalization and validation of proceedings taken by the board of supervisors of Allamakee county relating to the remodeling and repair of the Allamakee county care facility and to authorize payments for additional costs incurred if the payments can be accomplished without a levy of additional taxes.

Read first time and **placed on the calendar**.

House File 713, by committee on judiciary and law enforcement, a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property.

Read first time and **placed on the calendar**.

House File 714, by committee on judiciary and law enforcement, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Read first time and **placed on the calendar**.

House File 715, by committee on judiciary and law enforcement, a bill for an act relating to the information to be furnished a jury commission for use in drawing jury lists.

Read first time and **placed on the calendar**.

House File 716, by committee on judiciary and law enforcement, a bill for an act relating to the regulation of securities transactions.

Read first time and **placed on the calendar.**

House File 717, by committee on natural resources, a bill for an act relating to timber buyers and providing penalties.

Read first time and **placed on the calendar.**

House File 718, by committee on natural resources, a bill for an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

Read first time and **placed on the calendar.**

House File 719, by committee on energy, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief.

Read first time and **placed on the calendar.**

House File 720, by committee on ethics, a bill for an act relating to the conduct of public officials and employees and providing penalties.

Read first time and **placed on the calendar.**

House File 721, by committee on human resources, a bill for an act authorizing the use of marijuana, tetrahydrocannabinols and chemical derivatives of tetrahydrocannabinol for limited medical purposes.

Read first time and **placed on the calendar.**

House File 722, by committee on transportation, a bill for an act relating to the length and weight of vehicles and combinations of vehicles and providing penalties for violations.

Read first time and **placed on the calendar.**

House File 723, by committee on human resources, a bill for an act relating to access to certain sealed records for the purpose of locating county of birth by an adult adopted person and to the disclosure of medical and developmental information concerning an

adult adopted person or a person to be adopted and that person's natural parents.

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 on March 21, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 97, a bill for an act relating to the time period for maintaining proof of motor vehicle financial responsibility.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 182, a bill for an act relating to infectious and contagious diseases in swine.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 1, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies.

Also: That the Senate has on March 21, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 70, a bill for an act to establish a senior judge system.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 185, a bill for an act relating to the distribution of interest of permanent school fund.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 199, a bill for an act exempting most sales or services by a county or city from the sales, services and use tax.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 218, a bill for an act to legalize the proceedings of the city of Alexander, Iowa in connection with the letting of certain contracts.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 227, a bill for an act to provide for the appointment of the board of trustees of benefited fire districts.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 286, a bill for an act relating to cancellation of property interests granted for pipeline or electric transmission line purposes.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 347, a bill for an act to legalize proceedings taken by the board of supervisors of Lucas county relating to the sale of certain properties.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 376, a bill for an act to allow the director of the state conservation commission to contract for the removal of rough fish.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 382, a bill for an act relating to continuing education of insurance agents.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 396, a bill for an act relating to ways condemned by landowners having no access to the property.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 400, a bill for an act providing for limited guardianships under the state probate code.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 401, a bill for an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

Also: That the Senate has on March 21, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 405, a bill for an act to repeal the requirement that assessors file an annual agricultural land valuation report with the department of revenue.

Also: That the Senate has on March 21, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 9, urging the governor and other administrative officers to exercise their joint efforts to establish a regional tilth laboratory at Ames, Iowa.

FRANK J. STORK, Secretary

SENATE CONCURRENT RESOLUTION 9

By Waldstein, Hultman, Jensen,
Van Gilst, Priebe, C. Miller

1 *Whereas*, there is a need for research and experi-
2 mentation in the western cornbelt to determine the
3 effects of intensive intertilled crop production
4 on soil tilth and soil structure; and
5 *Whereas*, it is necessary to determine the effect
6 of intensive row crop production on the seedbed
7 environment, and to determine soil and water loss
8 under continuous intertilled row cropping systems;
9 and
10 *Whereas*, it is necessary to determine the impact
11 of improved management and cultural practices upon
12 nonpoint source pollution from corn and soybean
13 land; and
14 *Whereas*, there is a need to develop alternative
15 minimum tillage systems, reduce the reliance on
16 chemical pesticides, and reduce power and energy
17 requirements in crop production; *Now Therefore*,
18 *Be It Resolved By The Senate, The House Concurring*,
19 That the General Assembly urge the governor of Iowa,
20 the administrative officers and staff of Iowa state
21 university of science and technology, the state
22 department of soil conservation, the state department
23 of agriculture, the members of the Iowa congressional
24 delegation, and the United States department of agri-
25 culture to exercise their joint efforts to establish a
26 regional soil tilth laboratory at Ames, Iowa; and
27 *Be It Further Resolved*, That copies of this resolu-
28 tion be forwarded to the persons or agencies named in
29 this resolution or the appropriate person representing
30 such agencies.

Laid over under Rule 30.

ADOPTION OF HOUSE RESOLUTION 31

Thompson of Polk called up for consideration House Resolution 31, congratulating the Dowling High School boys' basketball team, filed on March 19, 1979 and found on pages 1009 and 1010 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Thompson of Polk invited members of the Dowling High School boys' basketball team to the front of the well, escorted by Mrs. John LaBonia, House Clerk; Woods of Polk and Sherzan of Polk. Coach LaBonia introduced assistant coaches, Terry Coleman and Tom Stokesbary, and members and managers of the team. Thompson of Polk presented the team with an enrolled copy of House Resolution 31 adopted unanimously by the House.

The House rose and expressed congratulations and welcome to the team.

QUORUM CALL

Roll call was requested by Pope of Polk and Clark of Lee to determine that a quorum was present.

Rule 80 was invoked.

Present, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind

Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schrekloth	Schroeder	Sherzan
Shimaneck	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
West	Woods	Mr. Speaker	

Absent, 5:

Chiodo	Doyle	Jochum	Smalley
Welsh			

UNFINISHED BUSINESS

The House resumed consideration of **House File 691**, a bill for an act setting a time limit on the current prohibition of charges by telephone companies for telephone directory assistance and requiring the commerce commission to study the matter.

Jesse of Polk offered the following amendment H—3516 filed by him:

H—3516

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by inserting after line 12 the
- 3 following section:
- 4 "Sec. Chapters four hundred seventy-four
- 5 (474), four hundred seventy-five (475), and four
- 6 hundred seventy-six (476), Code 1979, are repealed
- 7 effective July 1, 1981."

Pope of Polk rose on a point of order that amendment H—3516 was not germane.

The Speaker ruled the point well taken and amendment H—3516 not germane.

Gettings of Wapello offered the following amendment H—3506 filed by Gettings, et al., and moved its adoption:

H—3506

- 1 Amend House File 691 as follows:

- 2 1. Page 1, line 16, by striking the figure
 3 "1981" and inserting in lieu thereof the figure
 4 "1983".
 5 2. Page 1, lines 20 and 21, by striking the
 6 word "Sixty-ninth" and inserting in lieu thereof
 7 the word "Seventieth".
 8 3. Page 1, line 21, by striking the word "later"
 9 and inserting in lieu thereof the word "earlier".
 10 4. Page 1, line 21, by striking the figure "1981"
 11 and inserting in lieu thereof the figure "1983".

Roll call was requested by Perkins of Greene and Howell of Floyd.

Rule 80 was invoked.

On the question "Shall amendment H—3506 be adopted?"

The ayes were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Holt
Horn	Howell	Hullinger	Husak
Jay	Jesse	Kirkenslager	Krewson
Lloyd-Jones	Lonergan	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Shimaneck
Spear	Walter	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind
Lorenzo	Lura	Maulsby	Menke
Pellett	Pelton	Pope	Schnekloth
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 3:

Chiodo

Doyle

Jochum

Amendment H—3506 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque on request of Welsh of Dubuque.

Kirkenslager of Des Moines offered the following amendment H—3500 filed by Kirkenslager, et al., and moved its adoption:

H—3500

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "The Iowa state commerce commission shall not
- 5 approve a schedule of telephone directory assistance
- 6 charges to be implemented after the date specified
- 7 in this section unless the schedule provides the
- 8 following exceptions to any charge imposed by the
- 9 schedule:
- 10 1. There shall not be a charge for directory
- 11 assistance unless the telephone number requested is
- 12 listed in the telephone directory most recently
- 13 published and distributed by the utility.
- 14 2. There shall not be a charge for directory
- 15 assistance if the telephone number requested is outside
- 16 the exchange from which the request for directory
- 17 assistance is made."

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3500 be adopted?"

The ayes were, 48:

Anderson, R.
Binneboese
Cochran
Cusack
Groth

Arnould
Brandt
Connolly
Davitt
Halvorson, R.N.

Avenson
Bruner
Connors
Dieleman
Holt

Bina
Byerly
Crawford
Gettings
Horn

Howell	Hullinger	Husak	Jay
Jesse	Kirkenslager	Krewson	Lloyd-Jones
Loneragan	McKean	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Spear
Walter	Wells	Welsh	Woods

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind
Lorenzen	Lura	Mausby	Menke
Mullins	Pellett	Pope	Schnekloth
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Wedden	West	Mr. Speaker

Absent or not voting, 4:

Chiodo	Doyle	Hinkhouse	Jochum
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Amendment H—3500 lost.

Byerly of Polk offered the following amendment H—3507 filed by Byerly, et al., and moved its adoption:

H—3507

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by inserting after line 16 the follow-
- 3 ing:
- 4 "Any charges approved on or after the date specified
- 5 in this section shall be subject to the limitations
- 6 contained in section three (3) of this Act."
- 7 2. Page 2, by inserting after line 5 the following:
- 8 "Sec. 3. The Iowa state commerce commission shall
- 9 not approve any schedule of telephone directory
- 10 assistance charges to be implemented on or after the
- 11 date permitted by section two (2) of this Act unless
- 12 the schedule provides that all of the following
- 13 subscribers or stations are exempt from any charge
- 14 or fee for telephone directory assistance:
- 15 1. All agencies of federal, state and local
- 16 government.

- 17 2. All schools, both public and private, and
 18 including trade schools.
 19 3. All churches and religious organizations.
 20 4. All nonprofit organizations which are
 21 incorporated in this state.
 22 5. All hospitals, motels, hotels, nursing homes,
 23 and retirement homes.
 24 6. All coin operated telephones which are available
 25 for use by members of the general public.
 26 7. All subscribers of residential telephone service
 27 who are sixty-five years of age or older.
 28 8. All subscribers of residential telephone service
 29 whose households contain family members who are
 30 physically handicapped.
 31 In addition to the other requirements of this
 32 section, the Iowa state commerce commission shall
 33 not approve any schedule of telephone service charges
 34 which imposes a fee or charge upon a subscriber for
 35 telephone directories received by the subscriber."

Roll call was requested by Horn of Linn and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—3507 be adopted?"

The ayes were, 48:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Gettings
Groth	Halvorson, R.N.	Hinkhouse	Holt
Horn	Howell	Hullinger	Husak
Jay	Jesse	Kirkenlager	Krewson
Lloyd-Jones	Lonergan	McKean	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Spear
Walter	Wells	Welsh	Woods

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind

Lorenzen	Lura	Maulsby	Menke
Miller	Pellett	Pelton	Pope
Schnekloth	Schroeder	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Chiodo	Doyle	Jochum
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Amendment H—3507 lost.

Walter of Pottawattamie offered the following amendment H—3501 filed by him and moved its adoption:

H—3501

- 1 Amend House File 691 as follows:
- 2 1. Page 1, line 21, by inserting after the period
- 3 the following: "The commission shall determine the
- 4 total of its expenditures which are reasonably attribut-
- 5 able to the performance of its duties in making the
- 6 study required by this section. The amount thus deter-
- 7 mined shall be assessed by the commission to the tele-
- 8 phone utilities whose rates are regulated under chapter
- 9 four hundred seventy-six (476) of the Code in proportion
- 10 to their respective gross operating revenues from intra-
- 11 state telephone service during the calendar year which
- 12 ends next prior to the date on which the commission sub-
- 13 mits its report to the general assembly under this sec-
- 14 tion. Assessments shall be subject to payment as pro-
- 15 vided in section four hundred seventy-six point ten
- 16 (476.10), unnumbered paragraph three (3), of the Code."

Amendment H—3501 was adopted.

Woods of Polk offered the following amendment H—3505 filed by Patchett of Johnson and Walter of Pottawattamie and moved its adoption:

H—3505

- 1 Amend House File 691 as follows:
- 2 1. Page 1, line 27, by inserting after the period
- 3 the following: "The report of economic impact shall,
- 4 with respect to the public utilities, include an analysis
- 5 of personnel costs and other operating or administration
- 6 costs reasonably attributable to each of the various

7 plans for telephone directory assistance charges, includ-
8 ing any allowances and exemptions, which are considered
9 by the commission."

Amendment H—3505 was adopted.

Mullins of Kossuth moved to reconsider the vote by which amendment H—3506 (to page 1) was adopted by the House on March 23, 1979.

A non-record roll call was requested.

The ayes were 49, nays 45.

The motion prevailed and the House reconsidered amendment H—3506.

The following amendment H—3531, to amendment H—3506, filed by Mullins of Kossuth from the floor was adopted by unanimous consent:

H—3531

- 1 Amend amendment H—3506, to page 1 of House File
- 2 691, as follows:
- 3 1. Page 1, by striking lines 8 and 9.

Gettings of Wapello moved the adoption of amendment H—3506, as amended.

A non-record roll call was requested.

The ayes were 56, nays 34.

Amendment H—3506, as amended, was adopted.

Pope of Polk moved to reconsider the vote by which amendment H—3500 failed to be adopted by the House on March 23, 1979.

A non-record roll call was requested.

The ayes were 61, nays 23.

The motion prevailed and the House reconsidered amendment H—3500.

Kirkenslager of Dubuque moved the adoption of amendment H—3500.

Roll call was requested by Halvorson of Webster and Arnould of Scott.

On the question "Shall amendment H—3500 be adopted?"

The ayes were, 84:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lura	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 11:

Diemer	Hibbs	Johnson, J.	Johnson, R.
Lorenzen	Maulsby	Menke	Smalley
Tofte	Tyrrell	Welden	

Absent or not voting, 5:

Chiodo	Doyle	Egenes	Jochum
Perkins			

Amendment H—3500 was adopted.

Jay of Appanoose moved to reconsider the vote by which amendment H—3499 failed to be adopted by the House on March 22, 1979.

Roll call was requested by Harbor of Mills and Danker of Pottawattamie.

Rule 80 was invoked.

On the question "Shall the motion to reconsider amendment H—3499 prevail?"

The ayes were, 48:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Egenes	Gettings
Groth	Halvorson, R.N.	Hinkhouse	Holt
Horn	Howell	Hullinger	Husak
Jay	Jesse	Kirkenslager	Krewson
Lloyd-Jones	Lonergan	McKean	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Spear
Walter	Wells	Welsh	Woods

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Pelton	Pope
Schnekloth	Schroeder	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Chiodo	Doyle	Jochum
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The motion lost.

Pope 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.

Rule 80 was invoked.

Under the provisions of Rule 81, Hall of Linn refrained from voting.

On the question "Shall the bill pass?" (H.F. 691)

The ayes were, 46:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	Menke	Mullins
Pellett	Pelton	Pope	Schnekloth
Shull	Smalley	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

The nays were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Egenes
Gettings	Groth	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Kirkenslager	Krewson
Lloyd-Jones	Lonergan	McKean	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Poffenberger	Rapp
Ritsema	Schroeder	Sherzan	Shimanek
Spear	Walter	Wells	Welsh
Woods			

Absent or not voting, 5:

Chiodo	Doyle	Hall	Jochum
Tofte			

The bill, having failed to receive a constitutional majority, was declared to have failed to pass the House.

Halvorson of Clayton moved that the House recess until 3:00 p.m.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall the motion to recess prevail?"

The ayes were, 45:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lura	Maulsby
McKean	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Mr. Speaker			

The nays were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connors	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Husak
Jay	Jesse	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Sherzan
Smalley	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 17:

Arnould	Chiodo	Conlon	Connolly
Cusack	Danker	Doyle	Hullinger
Hummel	Jochum	Larsen	Lorenzen
Menke	Rapp	Tofte	Welden
West			

The motion prevailed and the House recessed at 2:31 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson, Miller of Buchanan and Gettings of Wapello on request of Avenson of Fayette; Larsen of Wapello on request of Thompson of Polk; Corey of Louisa on request of Ritsema of Sioux; Cusack of Scott on request of Cochran of Webster, all for the remainder of the day.

QUORUM CALL

Roll call was requested by Pelton of Clinton and Schroeder of Pottawattamie to determine that a quorum was present.

Present: 80

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Conlon
Connolly	Connors	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Egenes	Evans	Groth
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Howell	Hummel	Jay
Jesse	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lloyd-Jones	Lonerган	Lura	Maulsby
McKean	Menke	Mullins	Norland
O'Kane	Oxley	Pavich	Pellet
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrell	Van Maanen	Welden
Wells	West	Woods	Mr. Speaker

Absent: 20

Arnould	Bina	Chiodo	Cochran
Corey	Cusack	Davitt	Doyle
Gettings	Halvorson, R.N.	Hinkhouse	Hullinger
Husak	Jochum	Larsen	Lorenzen
Miller	Patchett	Walter	Welsh

REGULAR CALENDAR

House File 11, a bill for an act to provide a procedure for dissolution of certain drainage and levee districts and transfer of jurisdiction and control over the improvements and rights-of-way of

a district so dissolved to another overlying district without reclassification of the latter district, with report of committee recommending passage was taken up for consideration.

Crabb of Crawford 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. 11)

The ayes were, 80:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Conlon	Connolly	Connors	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egehes	Evans
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Horn	Howell	Hummel
Jay	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lloyd-Jones	Lonergan	Lura	Maulsby
McKean	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	West	Woods	Mr. Speaker

The nays were, 1:

Jesse

Absent or not voting, 19:

Arnould	Chiodo	Cochran	Corey
Cusack	Davitt	Doyle	Gettings
Halvorson, R.N.	Hinkhouse	Hullinger	Husak
Jochum	Larsen	Lorenzen	Menke
Miller	Patchett	Welsh	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 679, a bill for an act establishing a committee to review the regulation of occupations, was taken up for consideration.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3493 (to page 1) filed by him on March 21, 1979.

Woods of Polk asked and received unanimous consent to temporarily defer action on amendment H—3441.

Lura of Marshall offered the following amendment H—3450 filed by him and moved its adoption:

H—3450

- 1 Amend House File 679 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "4. The harm which could result from the
- 5 absence of regulation is greater than the harm
- 6 caused by the increase in cost."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 35, nays 50.

Amendment H—3450 lost.

Avenson of Fayette offered the following amendment H—3443 filed by him:

H—3443

- 1 Amend House File 679 as follows:
- 2 1. Page 1, by striking line 17 through page 2,
- 3 line 6, and inserting in lieu thereof the following:
- 4 "1. There is created a joint standing committee
- 5 on agency review comprised of five senators appointed
- 6 by the president of the senate and five representatives
- 7 appointed by the speaker of the house. The joint
- 8 standing committee shall prescribe its own rules and
- 9 may meet at any time upon the call of its chairpersons
- 10 or a majority of its members. The members of the
- 11 joint standing committee shall be paid forty dollars,

12 per day and necessary travel and actual expenses
13 incurred for attending meetings held when the general
14 assembly is not in session from the funds appropriated
15 by section two point twelve (2.12) of the Code.

16 2. The joint standing committee shall hold a
17 public hearing on each agency scheduled for review
18 by sections four (4) through nine (9) of this Act
19 in the year of review before March fifteenth of that
20 year. At the public hearing the joint standing
21 committee shall receive the testimony of the
22 administrator or governing body of the agency being
23 reviewed and may receive reports from other sources
24 and interested citizens.

25 3. After holding the public hearing the joint
26 standing committee shall make its recommendations
27 to each house of the general assembly regarding the
28 purpose, operation and continued existence of the
29 agency being reviewed. In making its recommendation
30 the joint standing committee shall consider the
31 following to the extent applicable:

32 a. The extent to which the regulatory agency has
33 permitted qualified applicants to serve the public.

34 b. The extent to which the agency has recommended
35 statutory changes to the general assembly which would
36 benefit the public as opposed to benefitting those
37 persons it regulates.

38 c. The extent to which the agency has required
39 the persons it regulated to report to it concerning
40 the impact of its rules and decisions on the public
41 with respect to improvement, economy, and availability
42 of service.

43 d. The extent to which persons regulated by the
44 agency have been required to assess problems in the
45 professions or vocations which affect the public.

46 e. The extent to which the agency has encouraged
47 public participation to its rules and decision making,
48 as opposed to participation solely by the persons
49 it regulates.

50 f. The degree of efficiency with which formal

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1 public complaints concerning the persons regulated
2 by or the activity of the agency have been processed
3 to completion or forwarded to appropriate officials
4 for completion.

5 g. The extent to which the agency has considered
6 alternative methods to achieve the same or similar
7 program goals.

8 h. The extent to which the absence of the agency
9 would endanger the public health, safety, or welfare.

10 i. The extent to which regulation by the agency
11 directly or indirectly increases the costs of goods
12 or services to the public.

13 j. The extent to which the agency has efficiently
14 and effectively used the resources available to it
15 for the purposes intended by the general assembly."

16 2. Page 2, by striking lines 8 and 9 and inserting
17 in lieu thereof the following:

18 "1. The joint standing committee on agency review
19 may also evaluate professions and occupations which
20 are not regulated by the state according to".

21 3. Page 2, line 12, by striking the words "or
22 continue to be".

23 4. Page 2, by striking lines 14 through 16 and
24 inserting in lieu thereof the words "be imposed."

25 5. Page 3, by inserting after line 27 the
26 following:

27 "Sec. 4. NEW SECTION.

28 1. The following state agencies shall be reviewed
29 as provided in section two (2) of this Act in 1981
30 and every six years thereafter: the department of
31 public defense, the campaign finance disclosure
32 commission, the occupational safety and health review
33 commission, the board of physical therapy examiners,
34 the board of nursing examiners, the board of psy-
35 chology examiners, the unified state mental health
36 agency, the commission on the aging of the state of
37 Iowa, the department of public instruction, the Iowa
38 state historical department, the Iowa natural resources
39 council, and the department of environmental quality.

40 2. The following are repealed effective July 1,
41 1982:

42 a. Chapter twenty-nine (29) of the Code relating
43 to the department of public defense.

44 b. Chapter fifty-six (56) of the Code relating
45 to the campaign finance disclosure commission.

46 c. Chapter eighty-eight (88) of the Code relating
47 to the occupational safety and health review
48 commission.

49 d. Chapter one hundred forty-eight A (148A) of
50 the Code relating to the board of physical therapy

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1 examiners.

2 e. Chapter one hundred fifty-two (152) of the
3 Code relating to the board of nursing examiners.

4 f. Chapter one hundred fifty-four B (154B) of
5 the Code relating to the board of psychology examiners.

6 g. Chapter two hundred twenty-five B (225B) of
7 the Code relating to the unified state mental health
8 agency.

- 9 h. Chapter two hundred forty-nine B (249B) of
10 the Code relating to the commission on the aging of
11 the state of Iowa.
- 12 i. Chapter two hundred fifty-seven (257) of the
13 Code relating to the department of public instruction.
- 14 j. Chapter three hundred three (303) of the Code
15 relating to the Iowa state historical department.
- 16 k. Chapter four hundred fifty-five A (455A) of
17 the Code relating to the Iowa natural resources
18 council.
- 19 l. Chapter four hundred fifty-five B (455B) of
20 the Code relating to the department of environmental
21 quality.
- 22 Sec. 5. NEW SECTION.
- 23 1. The following state agencies shall be reviewed
24 as provided in section two (2) of this Act in 1982
25 and every six years thereafter: the office for
26 planning and programming, the capitol planning
27 commission, the public employment relations board,
28 the department of public safety, the state board of
29 engineering examiners, the board of examiners of
30 shorthand reporters, the board of chiropractic
31 examiners, the Iowa state fair board, the Iowa housing
32 finance authority, the board of parole, the Iowa
33 library department, the department of soil
34 conservation, and the Iowa state civil rights
35 commission.
- 36 2. The following are repealed effective July 1,
37 1983:
- 38 a. Chapter seven A (7A) of the Code relating to
39 the office for planning and programming.
- 40 b. Chapter eighteen A (18A) of the Code relating
41 to the capitol planning commission.
- 42 c. Chapter twenty (20) of the Code relating to
43 the public employment relations board.
- 44 d. Chapter eighty (80) of the Code relating to
45 the department of public safety.
- 46 e. Chapter one hundred fourteen (114) of the Code
47 relating to the state board of engineering examiners.
- 48 f. Chapter one hundred fifteen (115) of the Code
49 relating to the board of examiners of shorthand
50 reporters.

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- 1 g. Chapter one hundred fifty-one (151) of the
2 Code relating to the board of chiropractic examiners.
- 3 h. Chapter one hundred seventy-three (173) of
4 the Code relating to the Iowa state fair board.
- 5 i. Chapter two hundred twenty (220) of the Code
6 relating to the Iowa housing finance authority.

- 7 j. Chapter two hundred forty-seven (247) of the
8 Code relating to the board of parole.
- 9 k. Chapter three hundred three A (303A) of the
10 Code relating to the Iowa library department.
- 11 l. Chapter four hundred sixty-seven A (467A) of
12 the Code relating to the department of soil
13 conservation.
- 14 m. Chapter six hundred one A (601A) of the Code
15 relating to the Iowa state civil rights commission.
- 16 Sec. 6. NEW SECTION.
- 17 1. The following state agencies shall be reviewed
18 as provided in section two (2) of this Act in 1983
19 and every six years thereafter: the Code editor,
20 the executive council, the board of accountancy, the
21 Iowa department of substance abuse, the state health
22 facilities council, the board of optometry examiners,
23 the board of pharmacy examiners, the Iowa depart-
24 ment of agriculture, the geological board, the state
25 archeologist, the Iowa state commerce commission,
26 the Iowa commission for the blind, and the board of
27 law examiners.
- 28 2. The following are repealed effective July 1,
29 1984:
- 30 a. Chapter fourteen (14) of the Code relating
31 to the Code editor.
- 32 b. Chapter nineteen (19) of the Code relating
33 to the executive council.
- 34 c. Chapter one hundred sixteen (116) of the Code
35 relating to the board of accountancy.
- 36 d. Chapter one hundred twenty-five (125) of the
37 Code relating to the Iowa department of substance
38 abuse.
- 39 e. Sections one hundred thirty-five point sixty-
40 one (135.61) through one hundred thirty-five point
41 eighty-three (135.83) of the Code relating to the
42 state health facilities council.
- 43 f. Chapter one hundred fifty-four (154) of the
44 Code relating to the board of optometry examiners.
- 45 g. Chapter one hundred fifty-five (155) of the
46 Code relating to the board of pharmacy examiners.
- 47 h. Chapter one hundred fifty-nine (159) of the
48 Code relating to the Iowa department of agriculture.
- 49 i. Chapter three hundred five (305) of the Code
50 relating to the geological board.

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- 1 j. Chapter three hundred five A (305A) of the
2 Code relating to the state archeologist.
- 3 k. Chapter four hundred seventy-four (474) of
4 the Code relating to the Iowa state commerce
5 commission.

6 l. Chapter six hundred one B (601B) of the Code
7 relating to the Iowa commission for the blind.

8 m. Chapter six hundred ten (610) of the Code
9 relating to the board of law examiners.

10 Sec. 7. NEW SECTION.

11 1. The following state agencies shall be reviewed
12 as provided in section two (2) of this Act in 1984
13 and every six years thereafter: the office of state
14 comptroller, the department of general services, the
15 Iowa development commission, the Iowa department of
16 veterans affairs, the Iowa real estate commission,
17 the board of architectural examiners, the Iowa state
18 board of examiners for nursing home administrators,
19 the board of podiatry examiners, the board of mortuary
20 science examiners, the department of social services,
21 the governor's committee on employment of the
22 handicapped, the office of citizens' aide, the clerk
23 of the supreme court and the court administrator of
24 the judicial department. .

25 2. The following are repealed effective July 1,
26 1985:

27 a. Chapter eight (8) of the Code relating to the
28 office of state comptroller.

29 b. Chapter eighteen (18) of the Code relating
30 to the department of general services.

31 c. Chapter twenty-eight (28) of the Code relating
32 to the Iowa development commission.

33 d. Chapter thirty-five A (35A) of the Code relating
34 to the Iowa department of veterans affairs.

35 e. Chapter one hundred seventeen (117) of the
36 Code relating to the Iowa real estate commission.

37 f. Chapter one hundred eighteen (118) of the Code
38 relating to the board of architectural examiners.

39 g. Chapter one hundred thirty-five E (135E) of
40 the Code relating to the Iowa state board of examiners
41 for nursing home administrators.

42 h. Chapter one hundred forty-nine (149) of the
43 Code relating to the board of podiatry examiners.

44 i. Chapter one hundred fifty-six (156) of the
45 Code relating to the board of mortuary science
46 examiners.

47 j. Chapter two hundred seventeen (217) of the
48 Code relating to the department of social services.

49 k. Chapter six hundred one F (601F) of the Code
50 relating to the governor's committee on employment

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1 of the handicapped.

2 l. Chapter six hundred one G (601G) of the Code
3 relating to the office of citizens' aide.

4 m. Chapter six hundred eighty-five (685) of the
5 Code relating to the clerk of the supreme court and
6 the court administrator of the judicial department.

7 Sec. 8. NEW SECTION.

8 1. The following state agencies shall be reviewed
9 as provided in section two (2) of this Act in 1985
10 and every six years thereafter: the commission on
11 uniform state laws, the Iowa crime commission, the
12 industrial commissioner, the state conservation
13 commission, the board of watchmaking examiners, the
14 state department of health, the Iowa board of speech
15 pathology and audiology examiners, the board of dental
16 examiners, the college aid commission, the state board
17 of regents, the department of revenue, the department
18 of banking, and the credit union review board.

19 2. The following are repealed effective July 1,
20 1986:

21 a. Chapter five (5) of the Code relating to the
22 commission on uniform state laws.

23 b. Chapter eighty C (80C) of the Code relating
24 to the Iowa crime commission.

25 c. Chapter eighty-six (86) of the Code relating
26 to the industrial commissioner.

27 d. Chapter one hundred seven (107) of the Code
28 relating to the state conservation commission.

29 e. Chapter one hundred twenty (120) of the Code
30 relating to the board of watchmaking examiners.

31 f. Chapter one hundred thirty-five (135) of the
32 Code relating to the state department of health.

33 g. Sections one hundred forty-seven point one
34 hundred fifty-one (147.151) through one hundred forty-
35 seven point one hundred fifty-six (147.156) of the
36 Code relating to the Iowa board of speech pathology
37 and audiology examiners.

38 h. Chapter one hundred fifty-three (153) of the
39 Code relating to the board of dental examiners.

40 i. Chapter two hundred sixty-one (261) of the
41 Code relating to the college aid commission.

42 j. Chapter two hundred sixty-two (262) of the
43 Code relating to the state board of regents.

44 k. Chapter four hundred twenty-one (421) of the
45 Code relating to the department of revenue.

46 l. Sections five hundred twenty-four point two
47 hundred one (524.201) through five hundred twenty-
48 four point two hundred twenty-seven (524.227) of the
49 Code relating to the department of banking.

50 m. Sections five hundred thirty-three point fifty-

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1 one (533.51) through five hundred thirty-three point
2 sixty-two (533.62) of the Code relating to the credit

3 union review board.

4 Sec. 9. NEW SECTION.

5 1. The following state agencies shall be reviewed
6 as provided in section two (2) of this Act in 1986
7 and every six years thereafter: the legislative fiscal
8 bureau, the legislative service bureau, the upper
9 Mississippi riverway compact, the Iowa law enforcement
10 academy council, the bureau of labor, the energy
11 policy council, the department of job service, the
12 Iowa board of landscape architectural examiners, the
13 Iowa beer and liquor control department, the board
14 of medical examiners, the board of examiners for the
15 licensing and regulation of hearing aid dealers, the
16 Iowa state arts council, the state department of
17 transportation, and the commission on the status of
18 women.

19 2. The following are repealed effective July 1,
20 1987:

21 a. Sections two point forty-eight (2.48) through
22 two point fifty-two (2.52) of the Code relating to
23 the legislative fiscal bureau.

24 b. Sections two point fifty-eight (2.58) through
25 two point sixty-six (2.66) of the Code relating to
26 the legislative service bureau.

27 c. Chapter twenty-seven A (27A) of the Code
28 relating to the upper Mississippi riverway compact.

29 d. Chapter eighty B (80B) of the Code relating
30 to the Iowa law enforcement academy council.

31 e. Chapter ninety-one (91) of the Code relating
32 to the bureau of labor.

33 f. Chapter ninety-three (93) of the Code relating
34 to the energy policy council.

35 g. Chapter ninety-six (96) of the Code relating
36 to the department of job service.

37 h. Chapter one hundred eighteen A (118A) of the
38 Code relating to the Iowa board of landscape
39 architectural examiners.

40 i. Chapter one hundred twenty-three (123) of the
41 Code relating to the Iowa beer and liquor control
42 department.

43 j. Chapter one hundred forty-eight (148) of the
44 Code relating to the board of medical examiners.

45 k. Chapter one hundred fifty-four A (154A) of
46 the Code relating to the board of examiners for the
47 licensing and regulation of hearing aid dealers.

48 l. Chapter three hundred four A (304A) of the
49 Code relating to the Iowa state arts council.

50 m. Chapter three hundred seven (307) of the Code

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- 1 relating to the state department of transportation.
 2 n. Chapter six hundred one (601) of the Code
 3 relating to the commission on the status of women.
 4 Sec. 10. NEW SECTION. This Act does not affect
 5 the right to commence a cause of action by or against
 6 a state agency terminated pursuant to this Act if
 7 the cause of action accrued prior to the date the
 8 agency is terminated. A cause of action pending when
 9 or instituted after the agency is terminated shall
 10 be commenced or defended in the name of the state
 11 by the attorney general."
 12 6. Page 3, line 28, by striking the word "four"
 13 and inserting in lieu thereof the word "ten".
 14 7. By renumbering the sections to conform with
 15 this amendment.

Hoffmann of Muscatine rose on a point of order that amendment H—3443 was not germane.

The Speaker ruled the point well taken and amendment H—3443 not germane.

Avenson of Fayette moved that the rules be suspended for the consideration of amendment H—3443.

Roll call was requested by Avenson of Fayette and Pavich of Pottawattamie.

On the question "Shall the rules be suspended to consider amendment H—3443?"

The ayes were, 35:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Davitt	Dieleman
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Lloyd-Jones	Loneragan	Norland
O'Kane	Oxley	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford

Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lorenzen	Lura
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Aanen	Welden
West	Mr. Speaker		

Absent or not voting, 11:

Arnould	Chiodo	Corey	Cusack
Doyle	Gettings	Jochem	Larsen
Maulsby	Miller	Patchett	

The motion lost.

Anderson of Jasper offered the following amendment H-3447 filed by him and Lura of Marshall:

H-3447

- 1 Amend House File 679 as follows:
- 2 1. Page 1, by striking line 21 and inserting in
- 3 lieu thereof the following:
- 4 "a. Five senators, not more than three from any
- 5 political".
- 6 2. Page 1, by striking line 23 and inserting in
- 7 lieu thereof the following:
- 8 "b. Five representatives, not more than three
- 9 from any".
- 10 3. Page 1, line 26, by inserting after the word
- 11 "governor" the words "who shall be nonvoting members".
- 12 4. Page 2, line 12, by striking the words "or
- 13 continue to be".
- 14 5. Page 2, by striking lines 14 through 16 and
- 15 inserting in lieu thereof the words "be imposed."
- 16 6. Page 3, by inserting after line 27 the
- 17 following:
- 18 "Sec. 4. NEW SECTION. LEGISLATIVE REVIEW.
- 19 1. Before March first the committee on professional
- 20 and occupational regulation shall hold a public hearing
- 21 on each of the regulatory programs scheduled for
- 22 review in that year. At the public hearing the
- 23 committee on professional and occupational regulation
- 24 shall receive the testimony of the administrator of
- 25 the regulatory program and may receive reports from
- 26 other sources and interested citizens.

27 2. After the public hearing the committee on
28 professional and occupational regulation shall make
29 its recommendations to its house of the general
30 assembly regarding the purpose, operation and
31 continuing existence of the reviewed regulatory
32 programs. In making its recommendation on each
33 regulatory program reviewed, the committee on
34 professional and occupational regulation shall consider
35 the following:

36 a. If the absence of regulation would significantly
37 harm or endanger the public health, safety and welfare.
38 b. If there is a reasonable relationship between
39 the exercise of the state's police power through the
40 regulation and the protection of the public health,
41 safety or welfare.
42 c. If there is another less restrictive method
43 of regulation available which could adequately protect
44 the public.
45 d. If the regulation has the effect of directly
46 or indirectly increasing the costs of goods or services
47 involved and to what degree.
48 e. If the increase in cost is more harmful to
49 the public than the harm which could result from the
50 absence of regulation.

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1 f. If all facets of the regulatory process are
2 designed solely for the purpose of, and have as their
3 primary effect, the protection of the public.
4 **Sec. 5. NEW SECTION. SCHEDULE OF REVIEW.**
5 1. a. The following regulatory programs shall
6 be reviewed in 1981 and every seven years thereafter:
7 the licensing of podiatrists, optometrists, physical
8 therapists, audiologists and speech pathologists,
9 and dentists and dental hygienists and the
10 certification of emergency medical technicians and
11 paramedics.
12 b. The following are repealed effective July 1,
13 1982:

14 (1) Chapter one hundred forty-nine (149) of the
15 Code, relating to podiatrists.
16 (2) Chapter one hundred fifty-four (154) of the
17 Code, relating to optometrists.
18 (3) Chapter one hundred forty-eight A (148A) of
19 the Code, relating to physical therapists.
20 (4) Sections one hundred forty-seven point one
21 hundred fifty-one (147.151) through one hundred forty-
22 seven point one hundred fifty-six (147.156) of the
23 Code, relating to audiologists and speech pathologists.
24 (5) Chapter one hundred fifty-three (153) of the

- 25 Code, relating to dentists and dental hygienists.
26 (6) Chapter one hundred forty-seven A (147A) of
27 the Code, relating to emergency medical technicians
28 and paramedics.
29 2. a. The following regulatory programs shall
30 be reviewed in 1982 and every seven years thereafter:
31 the licensing of barbers, cosmetologists, hearing
32 aid dealers, watchmakers, nursing home administrators,
33 private detectives, and funeral directors.
34 b. The following are repealed effective July 1,
35 1983:
36 (1) Chapter one hundred fifty-eight (158) of the
37 Code, relating to barbers.
38 (2) Chapter one hundred fifty-seven (157) of the
39 Code, relating to cosmetologists.
40 (3) Chapter one hundred fifty-four A (154A) of
41 the Code, relating to hearing aid dealers.
42 (4) Chapter one hundred twenty (120) of the Code,
43 relating to watchmakers.
44 (5) Chapter one hundred thirty-five E (135E) of
45 the Code, relating to nursing home administrators.
46 (6) Chapter eighty A (80A) of the Code, relating
47 to private detectives.
48 (7) Chapter one hundred fifty-six (156) of the
49 Code, relating to funeral directors.
50 3. a. The following regulatory programs shall

Page 3

- 1 be reviewed in 1983 and every seven years thereafter:
2 the licensing of physicians and surgeons, osteopathic
3 physicians and surgeons, chiropractors, registered
4 and licensed practical nurses, psychologists and
5 associate psychologists, and pharmacists.
6 b. The following are repealed effective July 1,
7 1984:
8 (1) Chapter one hundred forty-eight (148) of the
9 Code, relating to physicians and surgeons.
10 (2) Chapters one hundred fifty (150) and one
11 hundred fifty A (150A) of the Code, relating to
12 osteopathic physicians and surgeons.
13 (3) Chapter one hundred fifty-one (151) of the
14 Code, relating to chiropractors.
15 (4) Chapter one hundred fifty-two (152) of the
16 Code, relating to registered and licensed practical
17 nurses.
18 (5) Chapter one hundred fifty-four B (154B) of
19 the Code, relating to psychologists and associate
20 psychologists.
21 (6) Chapter one hundred fifty-five (155) of the
22 Code, relating to pharmacists.

23 4. a. The following regulatory programs shall
24 be reviewed in 1984 and every seven years thereafter:
25 the licensing of professional engineers and land
26 surveyors, registered architects, landscape architects,
27 wastewater treatment plant operators, and real estate
28 brokers and salespersons.

29 b. The following are repealed effective July 1,
30 1985:

31 (1) Chapter one hundred fourteen (114) of the
32 Code, relating to professional engineers and land
33 surveyors.

34 (2) Chapter one hundred eighteen (118) of the
35 Code, relating to registered architects.

36 (3) Chapter one hundred eighteen A (118A) of the
37 Code, relating to landscape architects.

38 (4) Sections four hundred fifty-five B point fifty
39 (455B.50) through four hundred fifty-five B point
40 sixty-four (455B.64) of the Code, relating to
41 wastewater treatment plant operators.

42 (5) Chapter one hundred seventeen (117) of the
43 Code, relating to real estate brokers and salespersons.

44 5. a. The following regulatory programs shall
45 be reviewed in 1985 and every seven years thereafter:
46 the licensing of certified public accountants and
47 public accountants, insurance agents, securities
48 brokers and agents, and attorneys.

49 b. The following are repealed effective July 1,
50 1986:

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1 (1) Chapter one hundred sixteen (116) of the Code,
2 relating to certified public accountants and public
3 accountants.

4 (2) Chapter five hundred twenty-two (522) of the
5 Code, relating to insurance agents.

6 (3) Chapter five hundred two (502) of the Code,
7 relating to securities brokers and agents.

8 (4) Chapter six hundred ten (610) of the Code,
9 relating to attorneys.

10 6. a. The following regulatory programs shall
11 be reviewed in 1986 and every seven years thereafter:
12 the licensing of veterinarians, pesticide applicators,
13 grain dealers, egg handlers, and milk and cream
14 graders.

15 b. The following are repealed effective July 1,
16 1987:

17 (1) Chapter one hundred sixty-nine (169) of the
18 Code, relating to veterinarians.

19 (2) Chapter two hundred six (206) of the Code,
20 relating to pesticide applicators.

21 (3) Chapter five hundred forty-two (542) of the
22 Code, relating to grain dealers.

23 (4) Chapter one hundred ninety-six (196) of the
24 Code, relating to egg handlers.

25 (5) Chapters one hundred ninety-four (194) and
26 one hundred ninety-five (195) of the Code, relating
27 to milk and cream graders.

28 7. a. The following regulatory programs shall
29 be reviewed in 1987 and every seven years thereafter:
30 the certification of teachers, supervisors, principals,
31 and superintendents in elementary and secondary
32 schools, and the certification of instructors in
33 merged area schools.

34 b. The following are repealed effective July 1,
35 1988:

36 (1) Chapter two hundred sixty (260) of the Code,
37 relating to instructors, teachers, principals,
38 supervisors and superintendents.

39 (2) Chapter two hundred seventy-two (272) of the
40 Code, relating to teachers.

41 (3) Section two hundred fifty-seven point ten
42 (257.10), subsection eleven (11) of the Code, relating
43 to instructors, teachers, administrators and
44 supervisors.

45 Sec. 6. NEW SECTION. ADDITIONAL REVIEWS. The
46 general assembly may by concurrent resolution direct
47 the committee on professional and occupational
48 regulation to review and make recommendations on a
49 state agency or program in addition to those scheduled
50 under section five (5) of this Act. An occupation

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1 which is placed under state regulation after the
2 effective date of this Act shall be reviewed as
3 provided in this Act five years after being made
4 subject to regulation unless the general assembly
5 provides otherwise.

6 Sec. 7. NEW SECTION. ACTIONS PRESERVED. This
7 Act does not affect the right to prosecute a cause
8 of action by or against a state agency terminated
9 pursuant to this Act if the cause of action accrued
10 prior to the date the agency is terminated. A cause
11 of action pending when or instituted after the agency
12 is terminated shall be prosecuted and defended in
13 the name of the state by the attorney general."

14 7. Page 3, line 28, by striking the word "four"
15 and inserting in lieu thereof the word "ten".

The following amendment H—3476, to amendment H—3447, filed by Anderson of Jasper was adopted by unanimous consent:

H—3476

- 1 Amend the amendment, H—3447, to House File 679
- 2 as follows:
- 3 1. Page 1, line 4, by striking the word "any"
- 4 and inserting in lieu thereof the words "the same".
- 5 2. Page 1, line 9, by striking the word "any"
- 6 and inserting in lieu thereof the words "the same".
- 7 3. Page 1, by inserting after line 9 the following:
- 8 "3. Page 1, line 25, by striking the word "any"
- 9 and inserting in lieu thereof the words "the same"."
- 10 4. By renumbering the amendment to conform with
- 11 this amendment.

Anderson of Jasper moved the adoption of amendment H—3447, as amended.

Roll call was requested by Anderson of Jasper and Welsh of Dubuque.

On the question "Shall amendment H—3447, as amended, be adopted?"

The ayes were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Cochran	Conlon
Connolly	Connors	Davitt	Dieleman
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Lloyd-Jones	Lonergan
Lura	Norland	O'Kane	Oxley
Pavich	Perkins	Ritsema	Sherzan
Spear	Tyrrell	Walter	Wells
Welsh	Woods		

The nays were, 48:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lorenzen	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger

Pope	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Van Maanen	West	Mr. Speaker

Absent or not voting, 14:

Arnould	Chiodo	Corey	Cusack
Doyle	Gettings	Jochum	Johnson, R.
Larsen	Miller	Patchett	Rapp
Stromer	Welden		

Amendment H—3447, as amended, lost.

Woods of Polk offered the following amendment H—3441 filed by him:

H—3441

- 1 Amend House File 679 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "Sec. 2. NEW SECTION. Every member of a board
- 5 established by law, which board has as its purpose
- 6 the licensing of a profession or occupation or the
- 7 admission to practice a profession, shall be subject
- 8 to confirmation by two-thirds of the members of the
- 9 senate after appointment by the governor or the supreme
- 10 court, as the case may be, as provided by law."
- 11 2. By renumbering the sections to conform with
- 12 this amendment.
- 13 3. Amend the title, line 2, by inserting after
- 14 the word "occupations" the words "and professions
- 15 and to effect uniformity among boards established
- 16 for that purpose".

Hoffmann of Muscatine rose on a point of order that amendment H—3441 was not germane.

The Speaker ruled the point well taken and amendment H—P3441 not germane.

The House stood at ease until the fall of the gavel.

The House resumed session and consideration of House File 679, Speaker pro tempore Harbor of Mills in the chair at 4:37 p.m.

Hibbs of Johnson moved that the House adjourn until 10:00 a.m., Monday, March 26, 1979.

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

Avenson of Fayette rose on a point of order and invoked Rule 85.

The Speaker ruled the point not well taken and Rule 85 not in order inasmuch as the electronic voting machine was operating.

On the question "Shall the motion to adjourn prevail?"

The ayes were, 34:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Davitt	Dieleman	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lorenzen	Lura
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsemá
Schneklóth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting, 17:

Arnould	Chiodo	Connors	Corey
Cusack	Doyle	Gettings	Jochum
Johnson, R.	Larsen	Maulsby	Millen
Miller	Patchett	Tyrrell	Wells
Welsh			

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tyrrell of Iowa on request of Johnson of Howard; Arnould of Scott on request of Avenson of Fayette; Maulsby of Calhoun on request of Anderson of Audubon; Millen of Van Buren on request of Schroeder of Pottawattamie; Wells of Linn on request of Pavich of Pottawattamie; Bina of Scott on request of Lloyd-Jones of Johnson, all for the remainder of the day.

CALL OF THE HOUSE

Pursuant to House Rule 83, the following members respectfully request a Call of the House on House File 679: Jesse of Polk, Cochran of Webster, Anderson of Jasper, Avenson of Fayette and Davitt of Warren.

A non-record roll call was requested to determine those members present.

The vote revealed eighty-two members present, eighteen absent.

(House File 679 pending at adjournment.)

INTRODUCTION OF BILLS

House File 724, by committee on education, a bill for an act relating to programs for gifted and talented children and to make an appropriation.

Read first time and referred to committee on **appropriations**.

House File 725, by committee on human resources, a bill for an act to amend the certificate of need law enacted in 1977, by increasing the number of members of the state health facilities council, by

permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying for one additional year the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions.

Read first time and **placed on the calendar.**

MOTION TO RECONSIDER
(House File 691)

I move to reconsider the vote by which House File 691 failed to pass the House on March 23, 1979.

SCHROEDER of Pottawattamie

UNANIMOUS CONSENT CALENDAR
(House Resolution 22)

We respectfully request that House Resolution 22, filed on March 12, 1979 and found on page 885 of the House Journal, be placed on the unanimous consent calendar.

DIEMER of Black Hawk
SWEARINGEN of Keokuk
SHULL of Warren

SPONSOR ADDED
(Amendment H-3410 to House File 648)

Cusack of Scott requested to be added as a sponsor of amendment H-3410 to House File 648.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 231 Commerce

Amending section five hundred thirty-seven point five thousand one hundred ten (537.5110) of the Code by amending subsection two (2) of that section to authorize a creditor to commence attachment proceedings prior to giving a notice of right to cure, and by adding a new subsection to permit a creditor to commence an action for

money judgment without giving the consumer the notice of right to cure upon the failure of the consumer to make a payment within the time required by the agreement if the outstanding obligation of the consumer, including amounts accelerated as a result of the default and accrued delinquency charges, does not exceed one thousand dollars.

SUBCOMMITTEE ASSIGNMENTS

Senate File 75

Cities: Halvorson of Webster, Chair; Hanson of Delaware and Lorenzen.

Senate File 89

Natural Resources: Tofte, Chair; Van Maanen and Lloyd-Jones.

Senate File 114

Human Resources: Krewson, Chair; Cusack, Poffenberger, De Groot, Lonergan and Clark of Cerro Gordo.

Senate File 235

Judiciary and Law Enforcement: Lloyd-Jones, Chair; Jesse and Holt.

Senate File 247

Education: Hansen of O'Brien, Chair; Maulsby, Daggett, Wells and Lonergan.

Senate File 269

County Government: Tofte, Chair; Welsh and Johnson of Howard.

Senate File 282

Cities: Hall, Chair; West and Spear.

Senate File 344

Energy: Evans, Chair; McKean, Ritsema, Mullins, Van Maanen, Howell, Sherzan and Rapp.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 222

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Study Bill 225

Judiciary and Law Enforcement: Walter, Chair; Arnould and Corey.

Study Bill 226

State Government: Lageschulte, Chair; Johnson of Woodbury, Crawford, Halvorson of Webster and Woods.

Study Bill 227

State Government: Hoffmann, Chair; Dieleman, Lura, Branstad and Bina.

Study Bill 228

Energy: Lind, Chair; Sherzan and Danker.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of a committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 8:00 a.m., March 22, 1979

Convened: 8:30 a.m.

Adjourned: 9:45 a.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Doyle, Hibbs, Holt, Jesse, Johnson of Howard, Lonergan, Maulsby, Pelton, Rapp, Smalley, Walter and Welsh.

Absent: Patchett, ranking member; and Lloyd-Jones.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 128), a bill for an act relating to programs for gifted and talented children and to make an appropriation.

Recommended **Amend and Do Pass.**

COMMITTEE ON HUMAN RESOURCES

Study Bill 175, to amend the certificate of need law enacted in 1977, by transferring from the health facilities council to the commissioner of public health the authority to decide upon the granting of a certificate of need, permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, revising the summary review procedure, and delaying for one additional year the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions.

Recommended **Amend and Do Pass.**

Committee Bill (Formerly House File 68), a bill for an act relating to filing and disclosure of medical and developmental information pertaining to an adopted child and the child's natural parents.

Recommended **Amend and Do Pass.**

Committee Bill (Formerly House File 512), a bill for an act relating to authorizing the use of marijuana, tetrahydrocannabinols and chemical derivatives of tetrahydrocannabinol for limited medical purposes.

Recommended **Amend and Do Pass.**

Fiscal note is required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Study Bill 80, relating to the administration of judicial district departments of correctional services.

Recommended **Amend and Do Pass.**

AMENDMENTS FILED

H - 3527	H.F. 670	Evans of Grundy O'Kane of Woodbury
H - 3528	H.F. 670	Poffenberger of Dallas
H - 3529	H.F. 670	Evans of Grundy Poffenberger of Dallas
H - 3530	H.F. 670	Evans of Grundy
H - 3532	H.F. 707	Shimanek of Jones Lloyd-Jones of Johnson

		Anderson of Audubon
		Crawford of Story
H-3533	H.F. 647	Connolly of Dubuque
H-3534	H.F. 697	Schnekloth of Scott
H-3535	H.F. 685	Miller of Buchanan
H-3536	H.F. 694	Bina of Scott
		Cusack of Scott
H-3537	H.F. 498	Spear of Lee
H-3538	H.F. 381	Tyrrell of Iowa
H-3539	H.F. 654	Jesse of Polk
		Jay of Appanoose
H-3540	S.F. 400	Rapp of Black Hawk
H-3541	H.F. 235	Halvorson of Webster
		Cusack of Scott
H-3542	H.F. 691	Walter of Pottawattamie
		Bina of Scott
H-3543	H.F. 691	Bina of Scott
		Walter of Pottawattamie
H-3544	H.F. 691	Byerly of Polk
H-3545	H.F. 685	Spear of Lee
H-3546	H.F. 664	Schnekloth of Scott
H-3547	H.F. 685	Jesse of Polk
		Bruner of Story
H-3548	H.F. 648	Binneboese of Plymouth
H-3549	H.F. 659	Jay of Appanoose
H-3550	H.F. 659	Lonergan of Boone
H-3551	H.F. 697	Brandt of Black Hawk
		Krewson of Polk
H-3552	H.F. 659	Groth of Buena Vista

On motion by Halvorson of Clayton the House adjourned at 5:00 p.m., until 10:00 a.m., Monday, March 26, 1979.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day—Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 26, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Stanley Jensen, seminary student and son of Senator Jensen, Plainfield, Iowa.

The Journal of Friday, March 23, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. H.G. Beatty, Creston, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hinkhouse of Cedar, Lonergan of Boone and Husak of Tama, for the morning session, on request of Crabb of Crawford; Connors of Polk on request of Avenson of Fayette.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-eight senior students from South Hamilton Junior-Senior High School, Jewell, Iowa, accompanied by Richard Steffen. By Egenes of Story.

PETITION FILED

The following petition was received and placed on file:

By Lind of Black Hawk, from twenty-two constituents of the thirty-third district opposing Senate File 120, an act relating to protective headgear for motorcycle riders.

INTRODUCTION OF BILL

House File 726, by committee on state government, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

Read first time and **placed on the calendar.**

SENATE MESSAGES CONSIDERED

Senate File 1, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies.

Read first time and referred to committee on **ways and means.**

Senate File 185, a bill for an act relating to the distribution of interest of permanent school fund.

Read first time and referred to committee on **education.**

Senate File 199, a bill for an act exempting most sales or services by a county or city from the sales, services and use tax.

Read first time and referred to committee on **ways and means.**

Senate File 218, a bill for an act to legalize the proceedings of the city of Alexander, Iowa in connection with the letting of certain contracts.

Read first time and referred to committee on **judiciary and law enforcement.**

Senate File 227, a bill for an act to provide for the appointment of the board of trustees of benefited fire districts.

Read first time and referred to committee on **county government.**

Senate File 286, a bill for an act relating to the cancellation of property interests granted for pipeline or electric transmission line purposes.

Read first time and referred to committee on **commerce.**

Senate File 347, a bill for an act to legalize proceedings taken by the board of supervisors of Lucas county relating to the sale of certain properties.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 376, a bill for an act to allow the director of the state conservation commission to contract for the removal of rough fish.

Read first time and **passed on file**.

Senate File 382, a bill for an act relating to the continuing education of insurance agents.

Read first time and referred to committee on **commerce**.

Senate File 396, a bill for an act relating to ways condemned by landowners having no access to the property.

Read first time and referred to committee on **county government**.

Senate File 400, a bill for an act providing for limited guardianships under the state probate code.

Read first time and **passed on file**.

Senate File 401, a bill for an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

Read first time and **passed on file**.

Senate File 405, a bill for an act to repeal the requirement that assessors file an annual agricultural land valuation report with the department of revenue.

Read first time and **passed on file**.

The House stood at ease until the fall of the gavel.

The House resumed session, **Speaker Millen** in the chair.

On motion by Halvorson of Clayton, the House was recessed at 12:17 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, for a portion of the day, on request of Poffenberger of Dallas.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-seven students from Clarinda High School, Clarinda, Iowa, accompanied by Pat Cassat. By Daggett of Taylor.

RULES SUSPENDED

Halvorson of Clayton asked for unanimous consent that the following bills be placed on the regular calendar under unfinished business: House Files 670, 662, 18, 235, 381, 79, 357, 372 and 687 and House Joint Resolution 16.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended and the following bills placed on the regular calendar under unfinished business: House Files 670, 662, 18, 235, 381, 79, 357, 372 and 687 and House Joint Resolution 16.

A non-record roll call was requested.

The ayes were 54, nays 38.

The motion prevailed and the rules were suspended.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent to

take up out of order House File 687 and House Joint Resolution 16 and that action on House Files 18, 235, 381, 79, 357 and 372 be deferred and that the bills retain their place on the unfinished business calendar.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 679**, a bill for an act establishing a committee to review the regulation of occupations.

Woods of Polk moved that the rules be suspended for the consideration of amendment H—3441, ruled not germane on March 23 and found on page 1109 of the House Journal.

A non-record roll call was requested.

The ayes were 40, nays 53.

The motion lost.

Hoffmann of Muscatine offered the following amendment H—3453 filed by her and moved its adoption:

H—3453

- 1 Amend House File 679 as follows:
- 2 1. Page 1, line 21, by striking the word "any"
- 3 and inserting in lieu thereof the words "the same".
- 4 2. Page 1, line 23, by striking the word "any"
- 5 and inserting in lieu thereof the words "the same".
- 6 3. Page 1, line 25, by striking the word "any"
- 7 and inserting in lieu thereof the words "the same".

Amendment H—3453 was adopted.

Tyrrell of Iowa offered the following amendment H—3455 filed by him:

H—3455

- 1 Amend House File 679 as follows:
- 2 1. Page 2, line 9, by inserting after the word
- 3 "occupations" the words "not presently regulated by
- 4 the state".
- 5 2. Page 2, line 12, by striking the words "or

- 6 continue to be".
 7 3. Page 2, by striking lines 14 through 16 and
 8 inserting in lieu thereof the words "be imposed."

Halvorson of Webster rose on a point of order that amendment H—3455 was not germane.

The Speaker ruled the point not well taken and amendment H—3455 germane.

Tyrrell of Iowa moved the adoption of amendment H—3455.

A non-record roll call was requested.

The ayes were 14, nays 71.

Amendment H—3455 lost.

Bennett of Ida offered the following amendment H—3518 filed by him and moved its adoption:

H—3518

- 1 Amend House File 679 as follows:
 2 1. Page 2, line 14, by inserting after the word
 3 "imposed." the words "If the committee recommends
 4 a continuation or imposition of regulation, the
 5 committee shall recommend whether mandatory continuing
 6 education should be required."

Amendment H—3518 was adopted.

Hoffmann 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. 679)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot

Dieleman	Doyle	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKear	Menke	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Welsh
West	Mr. Speaker		

The nays were, 6:

Byerly	Diemer	Hibbs	Kirkenslager
Wells	Woods		

Absent or not voting, 4:

Connors	Gettings	Jesse	Mullins
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

House File 670, a bill for an act relating to mining and providing penalties, was taken up for consideration.

Poffenberger of Dallas asked and received unanimous consent to suspend Rule 25 and that Marvin Ross and Bill Crews of the soil conservation department be permitted in the House chamber during consideration of House File 670.

Jay of Appanoose offered the following amendment H—3523 filed by him and O'Kane of Woodbury and moved its adoption:

H—3523

- 1 Amend House File 670 as follows:
- 2 1. Page 7, line 24, by striking the word
- 3 "publishing" and inserting in lieu thereof the
- 4 words "operations and shall publish".

- 5 2. Page 9, line 26, by striking the word "areas"
 6 and inserting in lieu thereof the word "area".
 7 3. Page 18, line 1, by striking the word "exist"
 8 and inserting in lieu thereof the word "exists".
 9 4. Page 19, line 8, by striking the words "at
 10 the request of the department".
 11 5. Page 21, line 19, by inserting after the
 12 word "hearing" the word "is".
 13 6. Page 23, line 25, by striking the word "a".
 14 7. Page 27, line 2, by striking the word "in"
 15 the first time it appears and inserting in lieu
 16 thereof the word "on".
 17 8. Page 30, line 14, by striking the word
 18 "power" and inserting in lieu thereof the word
 19 "powers".

Amendment H—3523 was adopted.

Welden of Hardin offered the following amendment H—3522 filed by him:

H—3522

- 1 Amend House File 670 as follows:
 2 1. Page 8, by striking lines 19 through 22.

Poffenberger of Dallas offered the following amendment H—3528, to amendment H—3522, filed by her and moved its adoption:

H—3528

- 1 Amend amendment H—3522, to House File 670, as
 2 follows:
 3 1. Page 1, by striking line 2 and inserting in
 4 lieu thereof the following:
 5 "1. Page 8, line 19, by striking the word "shall"
 6 and inserting in lieu thereof the word "may"."

Amendment H—3528 was adopted.

On motion by Welden of Hardin, amendment H—3522, as amended, was adopted.

Evans of Grundy offered the following amendment H—3515 filed by Evans, et al.:

H-3515

1 Amend House File 670 as follows:

- 2 1. Page 8, line 27, by inserting following the
- 3 word "Act" the words "on or before March 1, 1979".
- 4 2. Page 8, line 31, by inserting following the
- 5 word "mining" the words "on or before March 1, 1979".

Evans of Grundy offered the following amendment H-3530, to amendment H-3515, filed by him and moved its adoption:

H-3530

1 Amend amendment H-3515 to House File 670 as
2 follows:

- 3 1. Page 1, line 3, by striking the following:
- 4 "March 1", and inserting in lieu thereof the fol-
- 5 lowing: "March 13".
- 6 2. Page 1, line 5, by striking the following:
- 7 "March 1", and inserting in lieu thereof the fol-
- 8 lowing: "March 13".

Amendment H-3530 was adopted.

On motion by Evans of Grundy, amendment H-3515, as amended, was adopted.

O'Kane of Woodbury offered amendment H-3521 filed by him and Jay of Appanoose and requested division as follows:

H-3521

1 Amend House File 670 as follows:

H-3521A

- 2 1. Page 13, line 6, by inserting after the word
- 3 "Act." the following: "Any operator who mines coal
- 4 on prime farmland shall restore such mined area,
- 5 within a reasonable time, to equivalent or higher
- 6 levels of yield as nonmined prime farmland in the
- 7 surrounding area under equivalent levels of manage-
- 8 ment."

H-3521B

- 9 2. Page 15, line 18, by inserting after the
- 10 word "department" the words "but shall not exceed

- 11 the cost of administering revisions or cancellations
 12 of permits as authorized under this section".
 13 3. Page 18, line 24, by striking the words "if
 14 requested".
 15 4. Page 23, line 20, by striking the word "as"
 16 and inserting in lieu thereof the words "and
 17 determined by the department, following consultation
 18 with the person submitting the information, to be".
 19 5. Page 24, line 14, by inserting after the
 20 word "state." the following:
 21 "If the department enters into a cooperative
 22 agreement with the secretary under this section,
 23 such agreement shall be conducted according to the
 24 provisions of chapter 28E of the Code."
 25 6. Page 24, line 16, by striking the word
 26 "may" and inserting in lieu thereof the word "shall".
 27 7. Page 25, by striking lines 19 and 20 and
 28 inserting in lieu thereof the words and figure "4.
 29 The department shall submit to the secretary a
 30 state".

H-3521C

- 31 8. Page 28, line 29, by inserting after the
 32 word "housing," the following:
 33 "The department shall ensure that adequate
 34 housing and relocation payments are provided to
 35 persons displaced by acquisition of land pursuant
 36 to this section and persons dislocated as the
 37 result of adverse effects of coal mining practices
 38 which constitute an emergency as determined by the
 39 secretary."

Evans of Grundy offered the following amendment H-3529, to amendment H-3521A, filed by him and moved its adoption:

H-3529

- 1 Amend amendment H-3521 to House File 670 as
 2 follows:
 3 1. Page 1, line 4, by striking the words
 4 "prime farmland" and inserting in lieu thereof the
 5 words "agricultural land".
 6 2. Page 1, line 6, by striking the words
 7 "prime farmland" and inserting in lieu thereof the
 8 words "agricultural land of similar quality".

Amendment H-3529 was adopted.

On motion by O'Kane of Woodbury, amendment H-3521A, as amended, was adopted.

On motion by O'Kane of Woodbury, amendment H—3521B was adopted.

O'Kane of Woodbury moved the adoption of amendment H—3521C.

Roll call was requested by O'Kane of Woodbury and Bina of Scott.

On the question "Shall amendment H—3521C be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Corey
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Husak
Jay	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh			

The nays were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellet	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker

Absent or not voting, 3:

Connors	Hullinger	Jesse
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Amendment H—3521C lost.

Welden of Hardin offered the following amendment H—3524 filed by him and moved its adoption:

H—3524

- 1 Amend House File 670 as follows:
- 2 1. Page 16, by striking all of lines 3
- 3 through 6 and inserting in lieu thereof the following:
- 4 "a. One complete inspection per calendar
- 5 quarter and at least eight partial inspections on an
- 6 irregular basis in those months where a complete
- 7 inspection is not performed."

Amendment H—3524 was adopted.

Evans of Grundy offered the following amendment H—3527 filed by him and O'Kane of Woodbury and moved its adoption:

H—3527

- 1 Amend House File 670 as follows:
- 2 1. Page 28, line 23, by inserting after the word
- 3 "section," the word "or".
- 4 2. Page 28, by striking lines 26 and 27 and
- 5 inserting in lieu thereof the following: "secretary.
- 6 The fund".

Amendment H—3527 was adopted.

Jay of Appanoose offered the following amendment H—3467 filed by him and O'Kane of Woodbury:

H—3467

- 1 Amend House File 670 as follows:
- 2 1. Page 31, by inserting after line 25 the
- 3 following:
- 4 "Sec. 30. NEW SECTION. COAL SEVERANCE TAX. There
- 5 is imposed a coal severance tax on each ton of coal
- 6 mined in excess of ten thousand tons mined each year
- 7 by each mine located within the county. The amount
- 8 of the tax shall be five cents per ton of coal. The
- 9 owner of a mine subject to the severance tax shall
- 10 file a monthly report of all coal extracted from each
- 11 mine in the county operated by the owner with the
- 12 county recorder at no cost to the owner. The reports
- 13 shall be recorded alphabetically by the name of the
- 14 owner.
- 15 The recorder shall calculate the amount of the

16 taxes to be collected from each mine owner, and certify
17 monthly a list of coal severance taxes to be collected
18 to the county treasurer who shall within ten working
19 days after receipt of the certified list from the
20 recorder, send a tax statement to the owner. Payment
21 of the severance tax is due within thirty days of
22 receipt of the tax statement from the treasurer.
23 Taxes not paid by the owner within ninety days of
24 receipt of the tax statement from the county treasurer
25 shall become a lien on the property from which the
26 coal is extracted. If any severance tax is delinquent
27 for more than one year, the property may be sold by
28 the county under the procedures provided for tax de-
29 linquent sales of real property.

30 The proceeds from the coal severance tax shall
31 be deposited in the general fund of the county where
32 the mine is located.

33 Any owner failing to comply with the conditions
34 of the permit required by the county or to file the
35 appropriate reports shall be guilty of a simple
36 misdemeanor. All subsequent offenses by the same
37 owner or owners shall be treated as a class "D"
38 felony."

39 2. By renumbering the sections to conform with
40 this amendment.

41 3. Amend the title, line 1, by inserting after
42 the word "mining" the words ", imposing a severance
43 tax".

Evans of Grundy rose on a point of order that amendment
H-3467 was not germane.

The Speaker ruled the point well taken and amendment
H-3467 not germane.

Jay of Appanoose moved that the rules be suspended for the
consideration of amendment H-3467.

A non-record roll call was requested.

The ayes were 39, nays 49.

The motion lost.

Evans of Grundy asked and received unanimous consent to
reconsider the vote by which amendment H-3524 (to page 16) was
adopted by the House, adopt the following amendment H-3554, to
amendment H-3524, filed by him from the floor and to adopt
amendment H-3524, as amended:

H-3554

- 1 Amend H-3524 to House File 670 as follows:
- 2 1. Page 1, by striking all of line 5 and inserting
- 3 in lieu thereof the following: "quarter and at least
- 4 one partial inspection on an".

Poffenberger of Dallas 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. 670)

The ayes were, 92:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Arnould	Connors	Crabb	Cusack
Hoffmann	Jesse	Lageschulte	Perkins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 662, a bill for an act limiting the hotel and motel tax to a tax on sleeping accommodations and making corrective changes in the hotel and motel tax, was taken up for consideration.

Krewson of Polk asked and received unanimous consent to withdraw amendment H—3394 (to page 2) filed by Krewson, et al., on March 13, 1979, placing out of order amendment H—3426, to amendment H—3394, filed by Lorenzen, et al., on March 15, 1979.

Conlon of Muscatine offered the following amendment H—3420 filed by him and moved its adoption:

H—3420

- 1 Amend House File 662 as follows:
- 2 1. Page 2, line 3, by striking the word "revise"
- 3 and inserting in lieu thereof the word "increase".
- 4 2. Page 2, line 4, by striking the word
- 5 "revision" and inserting in lieu thereof the word
- 6 "increase".

Amendment H—3420 was adopted.

Pope 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. 662)

The ayes were, 89:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Çorey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane

Oxley	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Sherzan	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 3:

Chiodo	Groth	Perkins
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Absent or not voting, 8:

Arnould	Connors	Jesse	Johnson, R.
Rapp	Schroeder	Shimaneck	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 662)

Pope of Polk asked and received unanimous consent to immediately message House File 662 to the Senate.

House File 687, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, was taken up for consideration.

Horn of Linn asked and received unanimous consent to withdraw amendment H—3490 (to page 2), filed by him on March 20, 1979.

Horn of Linn offered the following amendment H—3497 filed by him:

H—3497

- 1 Amend House File 687 as follows:
- 2 1. Page 2, by inserting after line 10 the following
- 3 new section:
- 4 "Sec. . . . Section sixty-eight A point seven
- 5 (68A.7), Code 1979, is amended by adding the following
- 6 new subsection:
- 7 **NEW SUBSECTION.** Reports, informations, citations
- 8 or warnings issued for traffic violations for exceeding
- 9 the legal speed limit by ten miles per hour or less

10 and court reports of convictions of a traffic violation
11 for exceeding the legal speed limit by ten miles per
12 hour or less."

13 2. Page 12, by inserting after line 23 the
14 following new sections:

15 "Sec. . Section three hundred twenty-one point
16 two hundred seven (321.207), Code 1979, is amended
17 to read as follows:

18 321.207 RECORD FORWARDED. Every court having
19 jurisdiction over offenses committed under this
20 chapter, or any other law of this state or any city
21 traffic ordinances, other than parking regulations,
22 regulating the operation of motor vehicles on highways,
23 shall forward to the department a record of the
24 conviction of any person in said court for a violation
25 of any said laws except violations of the legal speed
26 limit by ten miles per hour or less, and may recommend
27 the suspension of the operator's or chauffeur's license
28 of the person so convicted, and the department shall
29 thereupon consider and act upon such recommendation
30 in such manner as may seem to it best.

31 Sec. . Section three hundred twenty-one point
32 two hundred ten (321.210), Code 1979, is amended by
33 adding the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. In determining the
35 suspension or the length of suspension of an operator's
36 or chauffeur's license, the department may not assess
37 points nor take into consideration a speeding violation
38 of ten miles per hour or less over the legal speed
39 limit."

40 3. Page 13, by inserting after line 9 the following
41 new section:

42 "Sec. . Section three hundred twenty-one point
43 five hundred fifty-five (321.555), subsection three
44 (3), Code 1979, is amended to read as follows:

45 3. The offenses included in subsections 1 and
46 2 shall be deemed to include offenses under any valid
47 town, city or county ordinance paralleling and
48 substantially conforming to the provisions of the
49 Code concerning such offenses. However, a conviction
50 of a speeding violation of ten miles per hour or less

Page 2

1 over the legal speed limit shall not be included as
2 an offense under subsection one (1) or two (2) of
3 this section."

4 4. By renumbering sections as made necessary by
5 this amendment.

Shimanek of Jones rose on a point of order that amendment
H-3497 was not germane.

The Speaker ruled the point well taken and amendment H—3497 not germane.

Schroeder of Pottawattamie offered the following amendment H—3488 filed by him and moved its adoption:

H—3488

- 1 Amend House File 687 as follows:
- 2 1. Page 4, by striking lines 29 through page 5
- 3 line 16.

Amendment H—3488 was adopted.

Johnson of Howard offered the following amendment H—3503 filed by him and Shimanek of Jones and moved its adoption:

H—3503

- 1 Amend House File 687 as follows:
- 2 1. Page 7, by inserting after line 1 the following
- 3 new section:
- 4 "Sec. Section two hundred eighteen point
- 5 sixty (218.60), Code 1979, is amended to read as
- 6 follows:
- 7 218.60 LETTING OF CONTRACTS—REPAIRS OR
- 8 ALTERATIONS. The commissioner shall, in writing,
- 9 let all contracts for authorized improvements costing
- 10 in excess of five thousand dollars to the lowest
- 11 responsible bidder, after such advertisement for bids
- 12 as the commissioner may deem proper in order to secure
- 13 full competition. The commissioner may reject all
- 14 bids and readvertise. Provided, however, if the
- 15 improvement be the repair or alteration of any building
- 16 or grounds and is not new construction and the
- 17 estimated cost thereof does not exceed twenty-five
- 18 thousand dollars, the commissioner with the approval
- 19 of the ~~budget and financial control committee executive~~
- 20 council may proceed with such repairs or alterations
- 21 under a negotiated contract on such terms as the
- 22 commissioner and the ~~budget and financial control~~
- 23 committee executive council may determine to be for
- 24 the best interests of the state."
- 25 2. Page 9, by inserting after line 34 the following
- 26 new section:
- 27 "Sec. Section two hundred seventy-five point
- 28 forty-one (275.41), subsections two (2) and five (5),
- 29 Code 1979, are amended to read as follows:
- 30 2. The ~~boards~~ board of the ~~old~~ former school

31 district with the largest population involved in the
32 merger shall designate four directors to be retained
33 as members of the board of the newly formed district.
34 Other school districts involved in the merger shall
35 each be allowed to retain directors in proportion
36 to the ratio that the population of the former school
37 district bears to the most populous district involved
38 in the merger, except that no district involved in
39 the merger shall retain less than one director.
40 5. The boards of directors of other school
41 districts which are involved in the merger which have
42 three or more directors who are retained, shall each
43 designate two of the directors who are retained to
44 serve terms that expire at the organizational meeting
45 following the second regular school election held
46 thereafter. All other directors who are retained
47 shall serve terms that expire at the organizational
48 meeting following the third regular school election
49 held thereafter."

Amendment H-3503 was adopted.

Horn of Linn offered the following amendment H-3491 filed by him:

H-3491

1 Amend House File 687 as follows:
2 1. Page 12, line 33, by striking the word "fifty-
3 five" and inserting in lieu thereof the words "fifty-
4 five sixty-five".
5 2. Page 13, by inserting after line 9 the following
6 new section:
7 "Sec. . Section three hundred twenty-one point
8 two hundred eighty-six (321.286), subsection one (1),
9 Code 1979, is amended to read as follows:
10 1. Fifty-five Sixty-five miles per hour on all
11 fully controlled-access, divided, multilaned highways
12 including interstate highways."
13 3. By renumbering sections as made necessary by
14 this amendment.

Shimanek of Jones rose on a point of order that amendment H-3491 was not germane.

The Speaker ruled the point well taken and amendment H-3491 not germane.

Shimanek of Jones offered the following amendment H-3502 filed by her and Johnson of Howard:

H-3502

- 1 Amend House File 687 as follows:
 2 1. Page 13, by inserting after line 9 the following
 3 new section:
 4 "Sec. . Section three hundred twenty-one point
 5 two hundred eighty-six (321.286), unnumbered paragraph
 6 two (2), Code 1979, is amended to read as follows:
 7 For the purposes of this section, interstate
 8 highways are those designated by the federal bureau
 9 of public roads highway administration and this state,
 10 and primary and secondary roads shall be those
 11 designated by the federal bureau of public roads
 12 highway administration and this state."
 13 2. By renumbering sections as necessary to conform
 14 with this amendment.

Horn of Linn rose on a point of order that amendment H-3502 was not germane.

The Speaker ruled the point not well taken and amendment H-3502 germane.

On motion by Shimanek of Jones, amendment H-3502 was adopted.

Shimanek of Jones offered the following amendment H-3504 filed by her and Johnson of Howard and moved its adoption:

H-3504

- 1 Amend House File 687 as follows:
 2 1. Page 13, by inserting after line 28 the
 3 following new section:
 4 "Sec. . Section three hundred twenty-five
 5 point thirty-four (325.34), Code 1979, is amended
 6 to read as follows:
 7 325.34 SIMPLE MISDEMEANOR-PENALTY. Every owner,
 8 officer, agent, or employee of any motor carrier,
 9 and every other person who violates or fails to comply
 10 with, or who procures, aids, or abets in the violation
 11 of any provision of this chapter, or who fails to
 12 obey, observe, or comply with any order, decision,
 13 rule, or regulation, direction, demand, or requirement
 14 or any part or provision thereof, of the ~~commission~~
 15 department, or who procures, aids, or abets any
 16 corporation or person in his or her failure to obey,
 17 observe, or comply with any such order, decision,
 18 rule, direction, demand, or regulation or any part

- 19 or provision thereof, shall be guilty of a simple
 20 misdemeanor.”
 21 2. By changing section numbers as made necessary
 22 by this amendment.

Amendment H—3504 was adopted.

Evans of Grundy offered the following amendment H—3510
 filed by him and moved its adoption:

H—3510

- 1 Amend House File 687 as follows:
 2 1. Page 18, by inserting after line 9 the
 3 following section:
 4 “Sec. . . . Section seven hundred twenty-four
 5 point twenty-three (724.23), Code 1979, is amended
 6 to read as follows:
 7 724.23 RECORDS KEPT BY COMMISSIONER. The
 8 commissioner of public safety shall maintain a
 9 permanent record of all permits authorized by this
 10 chapter and of permit revocations and reports of
 11 sales of weapons required by this chapter.”

Amendment H—3510 was adopted.

Johnson of Howard 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. 687)

The ayes were, 94:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte

Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Weish	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Arnould	Clark, J.H.	Connors	Husak
Jesse	Swearingen		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE JOINT RESOLUTION 9 SUBSTITUTED FOR HOUSE JOINT RESOLUTION 16

Danker of Pottawattamie asked and received unanimous consent to substitute Senate Joint Resolution 9 for House Joint Resolution 16.

Senate Joint Resolution 9, a joint resolution to create a special study committee on county statutes and to make an appropriation, was taken up for consideration.

Danker of Pottawattamie moved that the resolution be read a last time now and placed upon its passage which motion prevailed and the resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 9)

The ayes were, 93:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack

Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 2:

Hibbs	Husak
-------	-------

Absent or not voting, 5:

Arnould	Connors	Jesse	Lind
Perkins			

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

HOUSE FILE 664 DEFERRED

Halvorson of Clayton asked and received unanimous consent that House File 664 be deferred and that the bill retain its place on the weekly debate calendar.

REGULAR CALENDAR

House File 654, a bill for an act to prohibit operating a motor vehicle while having a certain percentage of alcohol in the blood, and to apply penalties, was taken up for consideration.

Jay of Appanoose offered the following amendment H—3539 filed by Jesse of Polk and him:

H—3539

- 1 Amend House File 654 as follows:
- 2 1. Page 1, line 5, by striking the word "ten"
- 3 and inserting in lieu thereof the word "twenty".
- 4 2. Page 1, by striking lines 16 through 20 and
- 5 inserting in lieu thereof the following:
- 6 "For the purposes of this section, evidence that
- 7 there was, at the time, more than ten hundredths of
- 8 one percentum by weight of alcohol in his the blood
- 9 shall be admitted as presumptive evidence that the
- 10 defendant was under the influence of an alcoholic
- 11 beverage. No previous conviction for, or plea of".

Welsh of Dubuque asked and received unanimous consent to temporarily defer action on amendment H—3539.

Lageschulte of Bremer offered the following amendment H—3343 filed by him and Egenes of Story and moved its adoption:

H—3343

- 1 Amend House File 654 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "hundredths" the words "or more".

A non-record roll call was requested.

The ayes were 74, nays 8.

Amendment H—3343 was adopted.

Pelton of Clinton offered the following amendment H—3452 filed by him:

H—3452

- 1 Amend House File 654 as follows:
- 2 1. Page 1, by striking line 7 and inserting
- 3 in lieu thereof the following: "of an alcoholic
- 4 beverage, a narcotic, hypnotic or other drug,".

Pelton of Clinton asked and received unanimous consent to withdraw amendment H—3452.

The House resumed consideration of amendment H—3539.

Welsh of Dubuque offered the following amendment H—3558, to amendment H—3539, filed by him from the floor:

H—3558

- 1 Amend amendment H—3539, to page 1 of House File
- 2 654, as follows:
- 3 1. Page 1, line 3, by striking the word
- 4 "twenty" and inserting in lieu thereof the word
- 5 "fifteen".

Woods of Polk asked for unanimous consent that House File 654 be referred to the committee on judiciary and law enforcement.

Objection was raised.

Woods of Polk moved that House File 654 be referred to the committee on judiciary and law enforcement.

A non-record roll call was requested.

The ayes were 23, nays 64.

The motion lost.

Horn of Linn asked for unanimous consent to defer action on amendment H—3558.

Objection was raised.

Horn of Linn moved that action on House File 654 be deferred and that the bill retain its place on the weekly debate calendar.

A non-record roll call was requested.

The ayes were 34, nays 55.

The motion lost.

Halvorson of Clayton moved the previous question on House File 654.

A non-record roll call was requested.

The ayes were 53, nays 37.

The motion prevailed.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lonerger of Boone for the remainder of the day on request of Davitt of Warren.

Welsh of Dubuque moved the adoption of amendment H—3558, to amendment H—3539.

Roll call was requested by Woods of Polk and Welsh of Dubuque.

On the question "Shall amendment H—3558, to amendment H—3539, be adopted?"

The ayes were, 43:

Anderson, R.	Avenson	Bina	Byerly
Chiodo	Connolly	Cusack	Davitt
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Hummel	Husak
Jay	Jochum	Johnson, R.	Krewson
Larsen	Lloyd-Jones	Lura	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pelton	Perkins
Poffenberger	Rapp	Ritsema	Sherzan
Shimanek	Spear	Walter	Welden
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Binneboese	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Johnson, J.	Johnson, W.	Kirkenslager
Lageschulte	Lind	Lorenzen	Maulsby
McKean	Menke	Pellett	Pope
Schneklöth	Schroeder	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

Absent or not voting, 5:

Arnould	Brandt	Connors	Jesse
Lonerger			

Amendment H—3558 lost.

• Horn of Linn moved to table amendment H—3539.

A non-record roll call was requested.

The ayes were 25, nays 65.

The motion lost.

Schroeder of Pottawattamie moved to suspend Rule 2 to continue debate beyond 6:00 p.m.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 54, nays 40.

The motion prevailed and Rule 2 was suspended.

Jay of Appanoose moved the adoption of amendment H—3539.

Roll call was requested by Perkins of Greene and Walter of Pottawattamie.

On the question "Shall amendment H—3539 be adopted?"

The ayes were, 40:

Bina	Brandt	Byerly	Chiodo
Connolly	Cusack	Doyle	Gettings
Groth	Hall	Horn	Hummel
Husak	Jay	Jochum	Johnson, R.
Kirkenslager	Krewson	Larsen	Lloyd-Jones
Lura	Miller	Mullins	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Poffenberger	Rapp	Ritsema
Sherzan	Shimanek	Spear	Walter
Welden	Wells	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Binneboese	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Corey	Crabb	Crawford

Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hullinger	Johnson, J.
Johnson, W.	Lageschulte	Lorenzen	Maulsby
McKean	Menke	Norland	Pellett
Pope	Schnekloth	Schroeder	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

Absent or not voting, 7:

Anderson, R.	Arnould	Avenson	Connors
Jesse	Lind	Lonergan	

Amendment H — 3539 lost.

Lageschulte 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (H.F. 654)

The ayes were, 58:

Anderson, J.	Anderson, R.	Bennett	Binneboese
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Corey	Crabb
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Johnson, J.	Johnson, W.	Lageschulte
Larsen	Maulsby	McKean	Menke
Norland	Oxley	Pellett	Pope
Schnekloth	Schroeder	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Wells
West	Mr. Speaker		

The nays were, 37:

Arnould	Bina	Brandt	Byerly
Chiodo	Connolly	Crawford	Cusack
Doyle	Gettings	Horn	Hummel
Husak	Jay	Jochum	Johnson, R.

Kirkenslager	Krewson	Lloyd-Jones	Lorenzen
Lura	Miller	Mullins	O'Kane
Patchett	Pavich	Pelton	Perkins
Poffenberger	Rapp	Ritsema	Sherzan
Shimanek	Walter	Welden	Welsh
Woods			

Absent or not voting, 5:

Avenson	Connors	Jesse	Lind
Lonergan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for the remainder of the day on request of Harbor of Mills.

MOTION TO RECONSIDER WITHDRAWN (House File 680)

Lura of Marshall asked and received unanimous consent to withdraw the motion to reconsider House File 680 filed by him on March 22, 1979.

HOUSE JOINT RESOLUTION 16 WITHDRAWN

Danker of Pottawattamie asked and received unanimous consent to withdraw House Joint Resolution 16 from further consideration by the House.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

MOTION TO RECONSIDER (House File 654)

I move to reconsider the vote by which House File 654 passed the House on March 26, 1979.

LAGESCHULTE of Bremer

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 26, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate File 211, an act authorizing a corporation licensed under Chapter Five Hundred Thirty-six A (536A) of the Code to establish, own, operate, utilize, and participate in electronic fund transfer systems.

PROOF OF PUBLICATIONS
(Senate File 218)

Published copy of Senate File 218 and verified proof of publication of said bill in the Hampton Chronicle, a newspaper printed and published in Hampton, Franklin County, Iowa on February 8, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(Senate File 347)

Published copy of Senate File 347 and verified proof of publication of said bill in the Chariton Leader, a newspaper published and printed in Chariton, Lucas County, Iowa on January 16, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 229 Ethics**

Relating to the conduct of public officials and employees and providing penalties.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

Study Bill 231, amending section five hundred thirty-seven point five thousand one hundred ten (537.5110) of the Code by amending subsection two (2) of that section to authorize a creditor to commence attachment proceedings prior to giving a notice of right to cure.

Recommended Do Pass.

Fiscal note is not required.

Committee Bill (Formerly House File 342), a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 194), a bill for an act relating to the payment of claims for nonpublic school pupil transportation.

Recommended Amend and Do Pass.

COMMITTEE ON TRANSPORTATION

Study Bill 89, relating to the length and weight of vehicles and combinations of vehicles and providing penalties for violations.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

Study Bill 129, relating to the recapture of taxes on certain classes of property when a change in use of the property occurs.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H—3553	H.F. 647	Spear of Lee
H—3555	H.F. 691	Byerly of Polk
		Bina of Scott
H—3556	H.F. 691	Byerly of Polk
		Gettings of Wapello
H—3557	H.F. 691	Bina of Scott
H—3559	H.F. 707	Cochran of Webster
		Halvorson of Webster

H-3560	H.F. 701	Spear of Lee
H-3561	H.F. 701	Spear of Lee
H-3562	H.F. 701	Spear of Lee
H-3563	H.F. 701	Spear of Lee
H-3564	H.F. 668	Spear of Lee
H-3565	H.F. 707	Halvorson of Webster
H-3566	H.F. 707	Davitt of Warren
		Halvorson of Webster
H-3567	H.F. 707	Hullinger of Decatur
		Halvorson of Webster
H-3568	H.F. 701	Miller of Buchanan
H-3569	H.F. 721	Lind of Black Hawk
H-3570	H.F. 707	Halvorson of Webster
H-3571	H.F. 707	Halvorson of Webster
H-3572	H.F. 701	Daggett of Taylor
H-3573	H.F. 701	De Groot of Lyon
		Menke of O'Brien
		Pope of Polk
		Spear of Lee
		Maulsby of Calhoun
		Daggett of Taylor
		Miller of Buchanan
		Husak of Tama
H-3574	H.F. 707	Welden of Hardin
		Lloyd-Jones of Johnson
		West of Marshall
		Cusack of Scott
H-3575	H.F. 719	Perkins of Greene

On motion by Halvorson of Clayton the House adjourned at 7:03 p.m., until 10:00 a.m., Tuesday, March 27, 1979.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day—Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 27, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Father John Winslow Stark, pastor of St. Patrick's Catholic Church, Tama, Iowa.

The Journal of Monday, March 26, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Roy Turner, Armstrong, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Avenson of Fayette; Danker of Pottawattamie, for a portion of the day, on request of Harbor of Mills.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-one ninth grade students from Walsh Junior High School, Ottumwa, Iowa, accompanied by Barry Ireland. By Larsen of Wapello.

Twenty-six students from Washington Junior High School, Ottumwa, Iowa, accompanied by Mrs. Rosemary Corbett. By Larsen of Wapello.

Thirty-six senior students from Highland High School, Riverside, Iowa, accompanied by Chris Samuelson. By Swearingen of Keokuk.

Eighty eighth grade students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Lynn Disney. By McKean of Jones.

Twenty senior students from Carson-Macedonia High School, Carson, Iowa, accompanied by Rosemary Witt. By Schroeder of Pottawattamie.

PETITION FILED

The following petition was received and placed on file:

By Lloyd-Jones of Johnson, from one hundred thirty-two constituents of the seventy-second district favoring House Resolution 8, relating to the naming of the ladybug as the state insect.

INTRODUCTION OF BILLS

House File 727, by committee on judiciary and law enforcement, a bill for an act relating to the administration of judicial district departments of correctional services.

Read first time and **placed on the calendar**.

House File 728, by committee on commerce, a bill for an act relating to the powers of pipeline inspectors.

Read first time and **placed on the calendar**.

House File 729, by committee on education, a bill for an act relating to the payment of claims for nonpublic school pupil transportation.

Read first time and **placed on the calendar**.

House File 730, by committee on commerce, a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment.

Read first time and **placed on the calendar**.

House File 731, by committee on commerce, a bill for an act amending section five hundred thirty-seven point five thousand one hundred ten (537.5110) of the Code by amending subsection two (2) of that section to authorize a creditor to commence attachment proceedings prior to giving a notice of right to cure.

Read first time and **placed on the calendar.**

House File 732, by committee on cities, a bill for an act to require that certain vacancies in elective city offices be filled by appointment only for the period until the next succeeding city election.

Read first time and **placed on the calendar.**

ADOPTION OF SENATE CONCURRENT RESOLUTION 9

Harbor of Mills called up for consideration Senate Concurrent Resolution 9, relating to the establishment of a soil tilth laboratory, filed on March 23, 1979 and found on page 1079 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS Regular Calendar

House File 647, a bill for an act relating to the compensation of township trustees and township clerks, was taken up for consideration.

Spear of Lee offered the following amendment H-3299 filed by him and moved its adoption:

H-3299

- 1 Amend House File 647 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "supervisors." the words "However, the county board
- 4 of supervisors may establish a minimum daily pay rate
- 5 for the time spent by a township trustee attending
- 6 a scheduled meeting of township trustees."

A non-record roll call was requested.

The ayes were 56, nays 32.

Amendment H-3299 was adopted.

Connolly of Dubuque offered the following amendment H-3533 filed by him:

H-3533

- 1 Amend House File 647 as follows:
- 2 1. Page 1, line 7, by adding the following
- 3 new sentence after the word "supervisors.": "The
- 4 hourly rate of compensation shall not be less than
- 5 two dollars and ninety cents."

Spear of Lee offered the following amendment H-3553, to amendment H-3533, filed by him and moved its adoption:

H-3553

- 1 Amend amendment H-3533, to page 1 of House File
- 2 647, as follows:
- 3 1. Page 1, by striking line 5 and inserting in
- 4 lieu thereof the following: "the hourly rate
- 5 established for pay grade eight (8), step one (1),
- 6 of the state merit system pay plan."

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment H-3553 lost.

Connolly of Dubuque moved the adoption of amendment H-3533.

A non-record roll call was requested.

The ayes were 37, nays 48.

Amendment H-3533 lost.

Lageschulte 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?" (H.F. 647)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.

Clark, J.H.	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenlager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Avenson	Cochran	Connors	Danker
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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 659, a bill for an act relating to the salary of the administrator of an area education agency, was taken up for consideration.

Groth of Buena Vista offered the following amendment H—3552 filed by him:

H—3552

- 1 Amend House File 659 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "board" the words "pursuant to the procedure specified
- 4 in this section. The board shall establish a proposed
- 5 salary for the administrator for a school year and
- 6 shall fix a date for final approval of the salary
- 7 of the administrator. The salary of the administrator
- 8 for the previous school year, the proposed salary,
- 9 and the date, time, and location of the meeting of

10 the board at which the salary of the administrator
11 will be established shall be published in a newspaper
12 of general circulation in the area at least ten days
13 before the date set for the meeting. The salary shall
14 be".

15 2. Page 1, by striking lines 26 and 27 and
16 inserting in lieu thereof the words ". The salary
17 shall include the costs of additional benefits, over
18 and above the additional benefits given all full-
19 time".

20 3. Page 1, line 28, by striking the word
21 "employees" and inserting in lieu thereof the word
22 "employees".

23 4. Page 1, line 28, by striking the words "The
24 provisions of section 279.13 shall apply to" and
25 inserting in lieu thereof the following: "The
26 additional benefits given all full-time employees,
27 including the administrator, include but are not
28 limited to the following items: an automobile furnished
29 for state use, mileage reimbursement for use of a
30 personal automobile for official business, a personal
31 residence, and attendance privileges at privately owned
32 recreational facilities. Notwithstanding section
33 seventy-nine point nine (79.9) of the Code, employees
34 of an area education agency entitled to reimbursement
35 for use of a personal automobile for official business
36 shall receive twenty cents per mile for actual and
37 necessary travel. The provisions of section 279.13
38 shall apply to".

Hansen of O'Brien rose on a point of order that amendment H-3552 was not germane.

The Speaker ruled the point well taken and amendment H-3552 not germane.

Groth of Buena Vista asked for unanimous consent to divide amendment H-3552.

Objection was raised.

Groth of Buena Vista moved that the rules be suspended for the consideration of amendment H-3552.

A non-record roll call was requested.

The ayes were 40, nays 54.

The motion lost.

Jay of Appanoose offered amendment H—3549 filed by him.

Division was requested as follows:

H—3549

1 Amend House File 659 as follows:

H—3549A

2 1. Page 1, line 12, by striking the word
3 "administrator," and inserting in lieu thereof the
4 words "administrator, except that the percent of
5 increase in salary granted by the board to an
6 administrator from one school year to the next shall
7 not exceed the average percent of increase in salaries
8 granted by the boards of directors of school districts
9 located in the area education agency for the same
10 years."

H—3549B

11 2. Page 1, by striking lines 26 and 27 and
12 inserting in lieu thereof the words "The salary shall
13 include the costs of additional benefits, over and
14 above the additional benefits given all full-time".
15 3. Page 1, line 28, by striking the word
16 "employees" and inserting in lieu thereof the word
17 "employees".

The following amendment H—3578, to amendment H—3549A,
filed by Jay of Appanoose from the floor, was adopted by unanimous
consent:

H—3578

1 Amend amendment H—3549, to House File 659, as
2 follows:
3 1. Page 1, line 8, by inserting after the word
4 "granted" the words "for salaried teachers and
5 administrators".

Jay of Appanoose moved the adoption of amendment H—3549A,
as amended.

A non-record roll call was requested.

The ayes were 31, nays 54.

Amendment H—3549A, as amended, lost.

On motion by Jay of Appanoose, amendment H—3549B was adopted.

Lonerган of Boone offered amendment H—3550 filed by her and requested division as follows:

H—3550

1 Amend House File 659 as follows:

H—3550A

2 1. Page 1, line 12, by striking the word
3 "administrator," and inserting in lieu thereof the
4 words "administrator, except that the salary
5 established by the board for an administrator for
6 a school year shall not exceed the salary established
7 by the board for that administrator for the preceding
8 school year by more than seven percent."

H—3550B

9 2. Page 1, by striking lines 26 and 27 and
10 inserting in lieu thereof the words "The salary shall
11 include the costs of additional benefits, over and
12 above the additional benefits given all full-time".
13 3. Page 1, line 28, by striking the word
14 "employees" and inserting in lieu thereof the word
15 "employees".

Lonerган of Boone asked and received unanimous consent to withdraw amendment H—3550B.

Speaker pro tempore Harbor of Mills in the chair at 11:26 a.m.

Groth of Buena Vista offered the following amendment H—3577, to amendment H—3550A, filed by him from the floor and moved its adoption:

H—3577

1 Amend amendment H—3550, to House File 659, as
2 follows:
3 1. Page 1, by striking lines 2 through 8 and

4 inserting in lieu thereof the following:
 5 "1. Page 1, by striking lines 11 and 12 and
 6 inserting in lieu thereof the following: "administrator
 7 shall be established by the board pursuant to the pro-
 8 cedure specified in this section. The board shall
 9 establish a proposed salary for the administrator for
 10 a school year and shall fix a date for final approval
 11 of the salary of the administrator. The salary of the
 12 administrator for the previous school year, the pro-
 13 posed salary, and the date, time, and location of the
 14 meeting of the board at which the salary of the admin-
 15 istrator will be established shall be published in a
 16 newspaper of general circulation in the area at least
 17 ten days before the date set for the meeting. The
 18 salary shall be based upon the previous experience and
 19 education of the administrator, except that the salary
 20 established by the board for an administrator for a
 21 school year shall not exceed the salary established by
 22 the board for that administrator for the preceding
 23 school year by more than seven percent".

Amendment H—3577 lost.

Loneragan of Boone moved the adoption of amendment
 H—3550A.

Roll call was requested by Lonergan of Boone and Binneboese of
 Plymouth.

Rule 80 was invoked.

On the question "Shall amendment H—3550A be adopted?"

The ayes were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Chiodo	Cochran	Conlon
Connolly	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hanson, D.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McKean
Miller	Mullins	O'Kane	Oxley
Pavich	Pelton	Perkins	Poffenberger
Rapp	Ritsema	Schneklloth	Sherzan
Smalley	Spear	Walter	Wells
Welsh			

The nays were, 48:

Anderson, J.	Bennett	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Corey	Crabb	Crawford	Daggett
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Larsen	Lind
Lorenzen	Lura	Menke	Norland
Patchett	Pellett	Pope	Schroeder
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker (Harbor)

Absent or not voting, 3:

Connors	Danker	Millen
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Amendment H—3550A was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—3442 (to page 1) filed by him on March 15, 1979.

Hansen 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. 659)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiold
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Lura	Maulsby
Menke	Miller	Mullins	Norland

O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Tyrrell	Van Maanen
Walter	Welden	Wells	West
Woods	Mr. Speaker (Harbor)		

The nays were, 9:

Hibbs	Hullinger	Kirkenslager	Lloyd-Jones
McKean	Ritsema	Schnekloth	Tofte
Welsh			

Absent or not voting, 5:

Connors	Danker	Egenes	Millen
Thompson			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE CONCURRENT RESOLUTION 14 WITHDRAWN

Halvorson of Clayton asked and received unanimous consent to withdraw House Concurrent Resolution 14 from further consideration by the House.

On motion by Halvorson of Clayton the House was recessed at 12:12 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Harbor of Mills in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Egenes of Story, for the afternoon session, on request of Clark of Lee.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventeen students from Fort Madison High School, Fort Madison, Iowa. By Clark of Lee, Corey of Louisa and Spear of Lee.

Forty-eight students from Midland Community High School, Wyoming, Iowa, accompanied by Gary Hayes. By McKean of Jones.

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 on March 23, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers.

FRANK J. STORK, Secretary

QUORUM CALL

Roll call was requested by Schnekloth of Scott and Hibbs of Johnson to determine that a quorum was present.

Present, 76:

Anderson, J.	Anderson, R.	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Conlon	Connolly
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Larsen	Lind
Lonergan	Lura	Maulsby	McKean
Menke	Miller	Mullins	Oxley
Pavich	Pellett	Pelton	Poffenberger
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker (Harbor)

Absent, 24:

Arnould	Avenson	Byerly	Chiodo
Cochran	Connors	Corey	Danker
Doyle	Egenes	Hullinger	Jesse
Krewson	Lageschulte	Lloyd-Jones	Lorenzen
Millen	Norland	O'Kane	Patchett
Perkins	Pope	Spear	Woods

CONSIDERATION OF BILLS

Regular Calendar

House File 648, a bill for an act relating to discrimination by utilities against customers who use renewable energy sources, was taken up for consideration.

Action on amendment H-3548 was temporarily deferred.

Rapp of Black Hawk offered the following amendment H-3410 filed by Rapp, et al.:

H-3410

1 Amend House File 648 as follows:

2 1. Page 1, line 27, by inserting after the word
3 "service" the words "as specified in section two (2)
4 of this Act."

5 2. Page 1, by inserting after line 29 the
6 following:

7 "Sec. 2. Chapter four hundred seventy-six (476).
8 Code 1979, is amended by adding the following new
9 section:

10 **NEW SECTION. RATE SCHEDULE STANDARDS.**

11 1. a. The Iowa state commerce commission shall
12 not approve a rate schedule of an electric utility
13 subject to rate regulation unless the rate schedule
14 allocates costs in accordance with the rate design
15 standards of subsection two (2) of this section.
16 The Iowa state commerce commission shall adopt rules
17 for the implementation of these standards within five
18 years of the effective date of this Act.

19 b. Municipally owned electric utilities shall
20 implement the standards of subsection two (2) of this
21 section within five years of the effective date of
22 this Act, but are not subject to rate regulation by
23 the Iowa state commerce commission.

24 2. Rate schedule standards for an electric public
25 utility are as follows:

26 a. The rate schedule shall be on a seasonable
27 basis which reflects the costs of providing services

28 at different times of the year to the extent that
 29 such costs vary seasonally for the utility.

30 . b. The rate schedule shall not provide for
 31 decreasing rates for increased consumption of
 32 electricity during any billing period.

33 . c. The rate schedule shall be on a time of day
 34 basis for those classes of electricity users for which
 35 the time of day basis is cost-effective. For purposes
 36 of this subparagraph, a time of day rate schedule
 37 is cost-effective if the long run benefits of the
 38 rate schedule to the utility are likely to exceed
 39 the metering costs and other costs associated with
 40 the implementation of the time of day rate schedule.

41 . d. A rate schedule for interruptible services
 42 to industrial and commercial electric consumers may
 43 be charged at an amount which reflects the cost of
 44 providing the interruptible service.

45 . e. A rate schedule for electrical users subject
 46 to load management control techniques that are
 47 reliable, create useful energy or capacity management
 48 advantages to the electric utility, and are cost-
 49 effective. For purposes of this paragraph, a load
 50 management control technique is cost-effective if

Page 2

1 the technique is likely to reduce maximum kilowatt
 2 demand on the electrical utility, and the long run
 3 cost savings to the utility of the reduction are
 4 likely to exceed the long run costs to the utility
 5 associated with implementation of the techniques.

6 . f. The rate schedule shall not provide separate
 7 charges for energy costs, demand or capacity costs,
 8 and customer costs other than customer costs for the
 9 extension of electric distribution lines.

10 . g. The rate schedule shall not differentiate
 11 between classes of electrical users, such as
 12 residential, commercial and industrial users, except
 13 as otherwise provided in this section."

14 3. Renumber the sections to conform to this
 15 amendment.

Evans of Grundy rose on a point of order that amendment H—3410 was not germane.

The Speaker ruled the point well taken and amendment H—3410 not germane.

Rapp of Black Hawk moved that the rules be suspended for the consideration of amendment H—3410.

Roll call was requested by Bina of Scott and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-3410?"

The ayes were, 33:

Anderson, R.	Arnould	Bina	Binneboese
Bruner	Connolly	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jochum
Lloyd-Jones	Loneragan	Miller	O'Kane
Oxley	Pavich	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Harbor)

Absent or not voting, 15:

Avenson	Brandt	Byerly	Chiodo
Cochran	Connors	Crabb	Danker
Doyle	Egenes	Jesse	Millen
Norland	Patchett	Perkins	

The motion lost.

Binneboese of Plymouth offered the following amendment H-3548 filed by him:

H-3548 .

1 Amend House File 648 as follows:

2 1. Page 1, by inserting before line 1 the following
3 section:

4 "Section 1. Chapter four hundred seventy-six
5 (476), Code 1979, is amended by adding the following
6 new section:

7 NEW SECTION. RATE INCREASES. A municipality,
8 corporation or co-operative association providing
9 electrical or gas services shall not increase a rate
10 or charge for a service or commodity more than seven
11 percent annually. The commission shall not approve
12 a rate, charge, schedule or regulation that violates
13 this section."

14 2. Page 1, line 27, by inserting after the word
15 "service" the words "subject to section one (1) of
16 this Act".

Binneboese of Plymouth offered the following amendment H-3579, to amendment H-3548, filed by him from the floor and moved its adoption:

H-3579

1 Amend the amendment, H-3548, to House File 648
2 as follows:

3 1. Page 1, line 11, by inserting after the
4 word "annually." the following: "This section shall
5 apply to the calendar year 1980 only."

Amendment H-3579 was adopted.

Evans of Grundy rose on a point of order that amendment H-3548 was not germane.

The Speaker ruled the point well taken and amendment H-3548 not germane.

Binneboese of Plymouth asked for unanimous consent to suspend the rules for the consideration of amendment H-3548.

Objection was raised.

Binneboese of Plymouth moved that the rules be suspended for the consideration of amendment H-3548.

Roll call was requested by Jesse of Polk and Rapp of Black Hawk.

On the question "Shall the rules be suspended to consider amendment H-3548?"

The ayes were, 34:

Arnould	Bina	Binneboese	Brandt
Bruner	Byerly	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Miller	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Poffenberger	Pope	Ritsema
Schneklloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker (Harbor)		

Absent or not voting, 16:

Anderson, R.	Avenson	Chiodo	Cochran
Connolly	Connors	Crabb	Danker
Doyle	Egenes	Hullinger	Lind
Millen	Norland	Patchett	Pelton

The motion lost.

McKean of Jones 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. 648)

The ayes were, 87:

Anderson, R.	Arnould	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker (Harbor)	

The nays were, none.

Absent or not voting, 13:

Anderson, J.	Avenson	Chiodo	Clark, J.H.
Cochran	Connors	Danker	Doyle
Egenes	Hinkhouse	Millen	Norland
Pelton			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 685, a bill for an act making it a fraudulent practice to knowingly participate in the transfer or assignment of a property interest with the intent to obtain public assistance for which a person is not eligible, granting the department of social services rule-making authority to implement this Act, and providing penalties, was taken up for consideration.

Jesse of Polk, offered amendment H—3547 filed by him and Bruner of Story and requested division as follows:

H—3547

1 Amend House File 685 as follows:

H—3547A

2 1. Page 1, by striking lines 4 through 17 and
3 inserting in lieu thereof the following:
4 "NEW SUBSECTION. Knowingly transfers or
5 assigns a legal or equitable interest in property,
6 as defined in section seven hundred two point
7 fourteen (702.14) of the Code, for less than fair
8 consideration, with the intent to obtain public
9 assistance under title eleven (XI) of the Code, or
10 accepts a transfer of or an assignment of a legal
11 or equitable interest in property, as defined in
12 section seven hundred two point fourteen (702.14) of
13 the Code, for less than fair consideration, with the
14 intent of enabling the party transferring the
15 property to obtain public assistance under title
16 eleven (XI) of the Code. A transfer or assignment
17 of property for less than".

H—3547B

18 2. Page 2, by striking lines 1 through 8 and
19 inserting in lieu thereof the following: "assistance
20 under title eleven (XI) of the Code. All applications
21 for assistance benefits under chapters two hundred
22 thirty nine (239) and two hundred forty nine A
23 (249A) of the Code shall include a list of all
24 transfers".

On motion by Jesse of Polk, amendment H—3547A was adopted.

Bruner of Story offered the following amendment H—3576, to amendment H—3547B, filed by him from the floor and moved its adoption:

H—3576

1 Amend amendment H—3547 to House File 685 by
2 striking lines 18-24 on page 1 and inserting in
3 lieu thereof the following:
4 "2. Page 2, by striking lines 1 through 6
5 and inserting in lieu thereof the following:
6 "assistance under title eleven (XI) of the Code.
7 All applications to the state"."

Amendment H—3576 was adopted.

On motion by Jesse of Polk, amendment H—3547B, as amended, was adopted.

Miller of Buchanan offered the following amendment H—3535 filed by him and moved its adoption:

H—3535

- 1 Amend House File 685 as follows:
- 2 1. Page 1, line 18, by striking the word "two"
- 3 and inserting in lieu thereof the word "three".
- 4 2. Page 2, line 10, by striking the word "two"
- 5 and inserting in lieu thereof the word "three".

A non-record roll call was requested.

The ayes were 59, nays 24.

Amendment H—3535 was adopted.

Spear of Lee offered the following amendment H—3545 filed by him and moved its adoption:

H—3545

- 1 Amend House File 685 as follows:
- 2 1. Page 1, line 18 by striking the word "of" and
- 3 inserting in lieu thereof the words "prior to".
- 4 2. Page 2, line 10 by striking the word "of" and
- 5 inserting in lieu thereof the words "prior to".

Amendment H—3545 was adopted.

Anderson of Audubon 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. 685)

The ayes were, 93:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot

Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Weldon
Wells	Welsh	West	Woods
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 7:

Arnould	Connors	Egenes	Howell
Jochum	Lind	Millen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 315, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, with report of committee recommending amendment and passage was taken up for consideration.

Speaker Millen in the chair at 2:42 p.m.

Schroeder of Pottawattamie offered amendment H—3359 filed by the committee on commerce on March 9, 1979 and found on page 868 of the House Journal.

Schroeder of Pottawattamie offered the following amendment H—3459, to the committee amendment H—3359, filed by him and moved its adoption:

H—3459

1 Amend the Committee on Commerce amendment H—3359

2 to House File 315 by inserting after line 1 the fol-
3 lowing:

- 4 1. Page 1, line 6, by striking the words "in-
- 5 cluding but not limited to" and inserting in lieu
- 6 thereof the words "based on".
- 7 2. By renumbering the remaining section.

Amendment H—3459 was adopted.

Shimanek of Jones offered the following amendment H—3468,
to the committee amendment H—3359, filed by her:

H—3468

1 Amend amendment H—3359, to House File 315, as
2 follows:

3 1. Page 1, by striking lines 2 through 4 and
4 inserting in lieu thereof the following:

5 "1. Page 1, line 2, by striking the word sub-
6 section" and inserting in lieu thereof the word
7 "subsections".

8 2. Page 1, by striking lines 3 through 12 and
9 inserting in lieu thereof the following:

10 "NEW SUBSECTION. IMPROVEMENTS TO REAL PROPERTY.

11 In an action arising out of the unsafe or defective
12 condition of an improvement to real property, including
13 but not limited to actions in contract, tort and
14 warranty, and actions for contribution and indemnity,
15 it is presumed until rebutted by a preponderance of the
16 evidence to the contrary that an improvement to real
17 property was performed in a workmanlike manner and
18 free of defects if the injury to property, real or
19 personal, or injury to the person or wrongful death,
20 occurred more than ten years after the date the act
21 or omission of the defendant alleged to have been the
22 cause of injury or death occurred.

23 NEW SUBSECTION. The presumption provided in the
24 foregoing subsection shall not apply to or in any way
25 modify a written warranty provided to any person by
26 any engineer, architect, contractor or other person
27 who has made improvements upon real property."

28 3. Amend the title page, line 1, by striking the
29 word "maximum" and inserting in lieu thereof the word
30 "presumptive".

Spear of Lee asked for unanimous consent to suspend the rules
to offer the following third degree amendment H—3471, to amend-
ment H—3468, to the committee amendment H—3359, filed by him:

H-3471

- 1 Amend amendment H-3468, to House File 315 as
- 2 follows:
- 3 1. Page 1, line 20, by striking the word "ten"
- 4 and inserting in lieu thereof the word "twenty".

Objection was raised and amendment H-3471 was ruled out of order.

Shimanek of Jones moved the adoption of amendment H-3468, to amendment H-3359.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

Rule 80 was invoked.

On the question "Shall amendment H-3468, to the committee amendment H-3359, be adopted?"

The ayes were, 49:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, J.H.	Connolly	Corey	Crawford
Cusack	Davitt	Evans	Gettings
Halvorson, R.N.	Hanson, D.	Hinkhouse	Horn
Howell	Hummel	Husak	Jay
Jesse	Krewson	Lloyd-Jones	Lorenzen
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Sherzan
Shimanek	Smalley	Walter	Wells
Welsh			

The nays were, 48:

Anderson, J.	Anderson, R.	Bennett	Branstad
Clark, B.J.	Cochran	Conlon	Crabb
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Groth	Hall
Halvorson, R.A.	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Hullinger	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lonergan	Lura
Maulsby	Pellett	Schnekloth	Schroeder
Shull	Spear	Stromer	Swearingen

Thompson
Welden

Tofte
West

Tyrrell
Woods

Van Maanen
Mr. Speaker

Absent or not voting, 3:

Connors

Egenes

Jochum

Amendment H—3468 was adopted.

Schroeder of Pottawattamie moved the adoption of the committee amendment H—3359, as amended.

Roll call was requested by Pelton of Clinton and Schroeder of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3359, as amended, be adopted?"

The ayes were, 47:

Arnould
Brandt
Clark, B.J.
Cusack
Hanson, D.
Hummel
Krewson
Miller
Oxley
Perkins
Ritsema
Tofte

Avenson
Bruner
Clark, J.H.
Davitt
Hinkhouse
Husak
Lloyd-Jones
Mullins
Patchett
Poffenberger
Sherzan
Walter

Bina
Byerly
Connolly
Gettings
Horn
Jay
McKean
Norland
Pavich
Pope
Shimanek
Wells

Binneboese
Chiodo
Crawford
Halvorson, R.N.
Howell
Jesse
Menke
O'Kane
Pelton
Rapp
Smalley

The nays were, 50:

Anderson, J.
Cochran
Daggett
Diemer
Hall
Hibbs
Johnson, J.
Lageschulte
Lorenzen
Schnecloth
Stromer
Van Maanen
Woods

Anderson, R.
Conlon
Danker
Doyle
Halvorson, R.A.
Hoffmann
Johnson, R.
Larsen
Lura
Schroeder
Swearingen
Welden
Mr. Speaker

Bennett
Corey
De Groot
Evans
Hansen, I.
Holt
Johnson, W.
Lind
Maulsby
Shull
Thompson
Welsh

Branstad
Crabb
Dieleman
Groth
Harbor
Hullinger
Kirksenslager
Lonergan
Pellett
Spear
Tyrrell
West

Absent or not voting, 3:

Connors

Egenes

Jochum

The committee amendment H—3359, as amended, lost.

Jesse of Polk offered the following amendment H—3466 filed by him:

H—3466

1 Amend House File 315 by striking everything after
2 the enacting clause and inserting in lieu thereof
3 the following:
4 "Section 1. Section five hundred fifteen point
5 forty-eight (515.48), subsection five (5), paragraph
6 b, Code 1979, is amended to read as follows:
7 b. Insure against legal liability, and against
8 loss, damage, or expense incident to a claim of such
9 liability, arising out of the death or injury of any
10 person, or arising out of injury to the economic
11 interests of any person as the result of error or
12 negligence in rendering expert, fiduciary or profes-
13 sional service. Provided that no such policy shall
14 be approved unless indemnity is provided by the
15 policy in force at the time of the error or negli-
16 gence."

Hibbs of Johnson rose on a point of order that amendment H—3466 was not germane.

The Speaker ruled the point well taken and amendment H—3466 not germane.

Pelton of Clinton asked for unanimous consent to suspend the rules for the consideration of amendment H—3466.

Objection was raised.

Pelton of Clinton moved that the rules be suspended for the consideration of amendment H—3466.

Roll call was requested by Conlon of Muscatine and Johnson of Howard.

Rule 80 was invoked.

On the question "Shall the rules be suspended for the consideration of amendment H-3466?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Cochran	Connolly
Cusack	Davitt	Doyle	Gettings
Groth	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Krewson	Lloyd-Jones	Lonergan
McKean	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Rapp	Sherzan	Smalley
Spear	Walter	Wells	Welsh
Woods			

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Evans	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Pellett	Pope
Ritsema	Schneklath	Schroeder	Shull
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 6:

Connors	Egenes	Jochum	Mullins
Poffenberger	Shimanek		

The motion lost.

Jesse of Polk offered the following amendment H-3458 filed by him and moved its adoption:

H-3458

- 1 Amend House File 315 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "action" the following: "against an architect,
- 4 engineer, or contractor".

Roll call was requested by Jesse of Polk and Walter of Pottawatamie.

Rule 80 was invoked.

On the question "Shall amendment H—3458 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Connolly	Crawford	Cusack
Davitt	Doyle	Gettings	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Krewson	Lloyd-Jones	McKean
Miller	Norland	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Ritsema	Sherzan	Shimanek	Smalley
Spear	Walter	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	De Groot	Dieleman	Diemer
Evans	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Lura	Maulsby
Menke	Oxley	Pellett	Pope
Schnekloth	Schroeder	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 7:

Cochran	Connors	Danker	Egenes
Groth	Mullins	O'Kane	

Amendment H—3458 lost.

Pelton of Clinton offered the following amendment H—3464 filed by him:

H—3464

- 2 1. Page 1, line 10, by striking the word "ten"
- 3 and inserting in lieu thereof the word "forty".

Spear of Lee offered the following amendment H—3470, to amendment H—3464, filed by him:

H—3470

- 1 Amend amendment H—3464, to House File 315 as
- 2 follows:
- 3 1. Page 1, line 3, by striking the word "forty"
- 4 and inserting in lieu thereof the word "twenty".

Jesse of Polk rose on a point of order and invoked Rule 32.

The Speaker ruled the point not well taken and Rule 32 not in order inasmuch as the bill does include an adequate explanation.

Spear of Lee moved the adoption of amendment H—3470, to amendment H—3464.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 48, nays 49.

Amendment H—3470 lost.

Pelton of Clinton moved the adoption of amendment H—3464.

A non-record roll call was requested.

The ayes were 36, nays 59.

Amendment H—3464 lost.

Jesse of Polk offered the following amendment H—3456 filed by him and Krewson of Polk:

H—3456

- 1 Amend House File 315 as follows:
- 2 1. Page 1, by inserting after line 12 the
- 3 following:

4 "No contract to indemnify the defendant against
5 legal liability in any action above mentioned shall
6 be approved unless such indemnity is provided by
7 the contract in force at the time the act or
8 omission occurred."

Hibbs of Johnson rose on a point of order that amendment H—3456 was not germane.

The Speaker ruled the point well taken and amendment H—3456 not germane.

Jesse of Polk moved that the rules be suspended for the consideration of amendment H—3456.

Roll call was requested by Jesse of Polk and Patchett of Johnson.

On the question "Shall the rules be suspended for the consideration of amendment H—3456?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Connolly	Cusack	Davitt
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Krewson	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larseh	Lind	Loneragan	Lorenzen
Lura	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Schnekloth	Schroeder	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 8:

Cochran	Connors	Egenes	Horn
Maulsby	Perkins	Ritsema	Shimanek

The motion lost.

Hibbs of Johnson 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 80 was invoked.

On the question "Shall the bill pass?" (H.F. 315)

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

The ayes were, 47:

Bennett	Branstad	Clark, B.J.	Conlon
Corey	Crabb	Daggett	Danker
De Groot	Dieleman	Diemer	Doyle
Evans	Hall	Halvorson, R.A.	Hansen, I.
Harbor	Hibbs	Hoffmann	Holt
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
Mullins	Pellet	Schneklath	Schroeder
Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	West	Mr. Speaker	

The nays were, 48:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, J.H.	Cochran
Connolly	Crawford	Cusack	Davitt
Groth	Halvorson, R.N.	Hanson, D.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Lura	McKean	Menke	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Poffenberger	Pope
Rapp	Ritsema	Sherzan	Shimanek
Smalley	Spear	Walter	Woods

Absent or not voting, 5:

Connors
Welsh

Egenes

Gettings

Perkins

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

MOTIONS TO RECONSIDER
(House File 315)

I move to reconsider the vote by which House File 315 failed to pass the House on March 27, 1979.

POPE of Polk

(House File 659)

I move to reconsider the vote by which House File 659 passed the House on March 27, 1979.

HANSEN of O'Brien

HOUSE CONCURRENT RESOLUTION 15
By Chiodo, Daggett, Wells, Dieleman, Branstad,
Smalley, Perkins and Halvorson of Clayton

- 1 *Whereas, the Supreme Court of the United States*
- 2 *has in Roe v. Wade 410 U.S. 113 and Doe v. Bolton 410*
- 3 *U.S. 179 established criteria whereby the laws of any*
- 4 *state in effect on January 22, 1973, aimed at protecting*
- 5 *unborn children were declared unconstitutional; and*
- 6 *Whereas, the foremost responsibility of government*
- 7 *is to protect the right of each individual to life; Now*
- 8 *Therefore,*
- 9 *Be It Resolved By The House Of Representatives, The*
- 10 *Senate Concurring, That this general assembly applies to*
- 11 *the Congress of the United States to prepare and submit*
- 12 *to the individual states, for ratification, a constitutional*
- 13 *amendment that would protect the lives of all unborn*
- 14 *children at every stage of their biological development; and*
- 15 *Be It Further Resolved, That if in accord with Article*
- 16 *V of the United States Constitution, the Congress of the*
- 17 *United States calls a Constitutional Convention for any*
- 18 *reason or purpose, that an amendment to the Constitution*
- 19 *that would protect the lives of all unborn children at*
- 20 *every stage of their biological development be considered*
- 21 *and adopted; and*
- 22 *Be It Further Resolved, That copies of this concurrent*

23 resolution be presented to the President of the Senate of
 24 the United States, the Secretary of the Senate of the United
 25 States, the Speaker of the House of Representatives of the
 26 United States, and to each member of Congress from Iowa
 27 attesting the adoption of this concurrent resolution by the
 28 Sixty-eighth General Assembly of the State of Iowa.

Referred to committee on **human resources**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 27, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate File 158, an act relating to financial transactions involving loans or deposits of money or extensions of credit which were affected by the provisions of Acts of the Sixty-Seventh General Assembly, 1978 Session, Chapter One Thousand One Hundred Ninety (1190), Sections Eleven (11) through Twenty-four (24), and providing for the restriction or regulation of interest rates, charges and prepayment penalties in transactions which are subject to Section Five Hundred Thirty-Five Point Two (535.2) of the Code, and providing for the restriction or regulation of the use of share drafts drawn on credit unions, and providing penalties.

COMMUNICATION FROM SECRETARY OF STATE

March 26, 1979

David L. Wray
 Chief Clerk of the House
 State Capitol Building
 Des Moines, Iowa

I hereby certify that House File 139, was published in The Record, Cedar Falls, Iowa on March 13, 1979, and in the Telegraph Herald, Dubuque, Iowa on March 7, 1979.

Respectfully submitted,
 MELVIN D. SYNHORST
 Secretary of State

EXPLANATIONS OF VOTE

Because I was due back in my district, I had to leave the House at 3:00 p.m. on Friday, March 23. Had I been present and voting, I would have voted "aye" on House File 11, "aye" on suspension of the rules to consider amendment H-3443 to House File 679, "aye" on amendment H-3447 to House File 679 and "aye" on motion to adjourn.

CUSACK of Scott

I was necessarily absent from the House chamber on March 26, 1979. Had I been present, I would have voted "aye" on House File 670.

HOFFMANN of Muscatine

I was necessarily absent from the House chamber on March 26, 1979. Had I been present, I would have voted "aye" on House File 687.

SWEARINGEN of Keokuk

I was necessarily absent from the House chamber on Monday, March 26, 1979. Had I been present, I would have voted "aye" on House File 679.

GETTINGS of Wapello

I was temporarily absent from the House chamber on March 27, 1979. Had I been present, I would have voted "aye" on the motion to suspend the rules to take up amendment H-3548.

CONNOLLY of Dubuque

I was necessarily absent from the House chamber on Tuesday, March 27, 1979. Had I been present, I would have voted "aye" on House File 659.

THOMPSON of Polk

I was in the Senate on Monday, March 26, talking to Senator Palmer about revenue projections and the Democrat's tax proposals. Had I been present I would have voted "aye" on House File 670.

CUSACK of Scott

AMENDMENTS FILED

H-3580	H.F. 709	Welden of Hardin
H-3581	H.F. 701	Spear of Lee
H-3582	H.F. 691	Byerly of Polk
		Jochem of Dubuque

H-3583	H.F. 691	Byerly of Polk Patchett of Johnson
H-3584	H.F. 691	Byerly of Polk Arnould of Scott
H-3585	H.F. 721	Spear of Lee
H-3586	H.F. 707	Brandt of Black Hawk
H-3587	H.F. 664	Evans of Grundy
H-3588	H.F. 664	Evans of Grundy
H-3589	H.F. 664	Evans of Grundy
H-3590	H.F. 664	Evans of Grundy
H-3591	H.F. 719	Evans of Grundy Ritsema of Sioux Perkins of Greene
H-3592	H.F. 719	Ritsema of Sioux
H-3593	S.F. 388	Daggett of Taylor Van Maanen of Mahaska
H-3594	H.F. 664	Evans of Grundy
H-3595	H.F. 719	Evans of Grundy Van Maanen of Mahaska Pellett of Cass West of Marshall De Groot of Lyon
H-3596	H.F. 719	Evans of Grundy
H-3597	H.F. 722	Lonergan of Boone Woods of Polk
H-3598	H.F. 681	Connolly of Dubuque Pavich of Pottawattamie Groth of Buena Vista
H-3599	H.F. 725	Maulsby of Calhoun
H-3600	H.F. 719	Perkins of Greene
H-3601	H.F. 719	Perkins of Greene
H-3602	H.F. 707	Patchett of Johnson Brandt of Black Hawk
H-3603	H.F. 719	Evans of Grundy
H-3604	H.F. 707	Halvorson of Webster
H-3605	H.F. 694	Spear of Lee
H-3606	H.F. 694	Spear of Lee
H-3607	H.F. 722	Binneboese of Plymouth Miller of Buchanan Gettings of Wapello Husak of Tama
H-3608	H.F. 719	Arnould of Scott

H-3609

H.F. 681

Lloyd-Jones of Johnson
Pavich of Pottawattamie
Groth of Buena Vista
Connolly of Dubuque

On motion by Halvorson of Clayton the House adjourned at 5:58 p.m., until 8:00 a.m., Wednesday, March 28, 1979.

JOURNAL OF THE HOUSE

Eightieth Calendar Day — Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 28, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Robbin Tisdale, pastor of St. Johns Lutheran Church, Harris, Iowa.

The Journal of Tuesday, March 27, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Rodney Carlson, Ankeny, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lura of Marshall on request of Shull of Warren; Egenes of Story on request of Clark of Lee, both for a portion of the day.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty students from Russell Community School, Russell, Iowa, accompanied by Edward Medici. By Jay of Appanoose.

Fifty-one students from Sigourney High School, Sigourney, Iowa, accompanied by Fred Gilliland and Wayne Yahn. By Swearingen of Keokuk.

Forty students from English Valleys High School, North English, Iowa, accompanied by Bob Blake. By Tyrrell of Iowa and Swearingen of Keokuk.

PETITION FILED

The following petition was received and placed on file:

By Corey of Louisa, from fifty-two constituents opposing the repeal of the directory assistance law.

INTRODUCTION OF BILL

House File 733, by committee on ways and means, a bill for an act relating to the recapture of taxes on certain classes of property when a change in use of the property occurs and making the Act retroactive.

Read first time and placed on the ways and means calendar.

SENATE MESSAGE CONSIDERED

Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers by prohibiting a manufacturer from requiring a distributor to pay to a manufacturer a refund value or deposit on a nonrefillable beverage container; prohibiting the importation of certain quantities of beverage containers not having a refund value indication as required by chapter four hundred fifty-five C (455C) of the Code; prescribing penalties for violations of departmental rules, the multiple redemption of nonrefillable beverage containers by a distributor, and certain acts and practices defined as fraudulent; authorizing distributors to cooperate and coordinate their business operations to carry out the purposes of chapter four hundred fifty-five C (455C) of the Code; and by authorizing a phaseout for containers not having a refund value indication for the period from July 1, 1979 through July 31, 1979.

Read first time and referred to committee on energy.

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 on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 39, a bill for an act relating to the treatment of free newspapers and shoppers guides under the state sales tax.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 221, a bill for an act relating to the revocation of a motor vehicle license.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 252, a bill for an act relating to the requirement for municipal improvement districts.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 422, a bill for an act relating to the laying of gas mains and water mains along highways.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 423, a bill for an act relating to travel expenses and salaries for members of the judicial branch of government.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 424, a bill for an act relating to the filing of objections to estate or property appraisalment.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 426, a bill for an act relating to the employment of legal counsel by school corporations.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 431, a bill for an act relating to complaints alleging violations of provisions relating to health care facilities.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 432, a bill for an act relating to the licensing and regulation of child foster care facilities.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 436, a bill for an act relating to the department of environmental quality's authority over public water supply systems.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 437, a bill for an act to repeal the limitation on charitable devises.

Also: That the Senate has on March 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 438, a bill for an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant.

FRANK J. STORK, Secretary

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 696, a bill for an act legalizing proceedings taken in Linn county, Iowa, relating to the sale of property, was taken up for consideration.

Ritsema 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. 696)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lonergan
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane

Oxley	Patchett	Pavich	Pellett
Perkins	Pope	Rapp	Ritsema
Schroeder	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	

The nays were, 6:

Branstad	Cusack	De Groot	Lloyd-Jones
Schnekloth	Sherzan,		

Absent or not voting, 11:

Clark, B.J.	Davitt	Egenes	Hullinger
Husak	Lura	Pelton	Poffenberger
Shimaneck	Welden	Mr. Speaker	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 704, a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County relating to the sale of all of their interest in and to lot 3 of Block 1 of the original town of Cincinnati, Appanoose County, Iowa, was taken up for consideration. (Proof of publication as House File 617 found on page 865 of the House Journal.)

Ritsema 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. 704)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager

Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 5:

Branstad	Cusack	Lloyd-Jones	Schneklath
Sherzan			

Absent or not voting, 9:

Danker	Davitt	Egenes	Hullinger
Husak	Lura	Patchett	Rapp
Swearingen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 710, a bill for an act to legalize the proceedings of the city of Havelock, Iowa in connection with the letting of certain contracts, was taken up for consideration. (Proof of publication as House File 189 found on page 428 of the House Journal.)

Ritsema 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. 710)

The ayes were, 84:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	Danker
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Jay

Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 6:

Branstad	Connors	Cusack	Lloyd-Jones
Schnekloth	Sherzan		

Absent or not voting, 10:

Clark, B.J.	Davitt	De Groot	Egenes
Hullinger	Husak	Lura	Patchett
Rapp	Swearingen		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 711, a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts, was taken up for consideration. (Proof of publication as House File 296 found on page 549 of the House Journal.)

Ritsema 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. 711)

The ayes were, 82:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	Danker
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak

Jay	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 6:

Anderson, J.	Branstad	Cusack	Lloyd-Jones
Schnekloth	Sherzan		

Absent or not voting, 12:

Connors	Davitt	De Groot	Egenes
Hullinger	Jesse	Jochum	Johnson, R.
Lura	Maulsby	Rapp	Swearingen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 712, a bill for an act relating to the legalization and validation of proceedings taken by the board of supervisors of Allamakee county relating to the remodeling and repair of the Allamakee county care facility and to authorize payments for additional costs incurred if the payments can be accomplished without a levy of additional taxes, was taken up for consideration. (Proof of publication as House File 249 found on page 509 of the House Journal.)

Ritsema 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. 712)

The ayes were, 85:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Daggett

Danker	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	McKean	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Spear	Stromer	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 4:

Branstad	Cusack	Maulsby	Sherzan
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Absent or not voting, 11:

Connors	Davitt	Egenes	Hullinger
Johnson, R.	Lloyd-Jones	Lura	Menke
Miller	Rapp	Swearingen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 713, a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property, was taken up for consideration. (Proof of publication as House File 300 found on page 556 of the House Journal.)

Ritsema 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.713)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, J.H.

Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 5:

Branstad	Cusack	Lloyd-Jones	Schnekloth
Sherzan			

Absent or not voting, 9:

Clark, B.J.	Connors	Davitt	Egenes
Johnson, R.	Lura	Patchett	Rapp
Swearingen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 189, 249, 296, 300 and 617 WITHDRAWN

Ritsema of Sioux asked and received unanimous consent to withdraw House Files 189, 249, 296, 300 and 617 from further consideration by the House.

House File 658, a bill for an act to authorize real property loans secured by alternative mortgage instruments, was taken up for consideration.

Chiodo of Polk offered the following amendment H—3445 filed by him and moved its adoption:

H-3445

1 Amend House File 658 as follows:

2 1. Page 1, by inserting after line 18 the follow-
3 ing:

4 "4. "Standard mortgage instrument" means a mortgage
5 which contains a fixed interest rate, and which
6 provides for equal payments and full amortization.

7 5. "Graduated payment mortgage" means the type
8 of mortgage described in section four (4) of this
9 Act.

10 6. "Variable rate mortgage" means the type of
11 mortgage described in section seven (7) of this Act.

12 7. "Reverse annuity mortgage" means the type of
13 mortgage described in section eleven (11) of this
14 Act."

15 2. Page 1, by striking line 35 and inserting in
16 lieu thereof the following:

17 "2. Each prospective borrower who is offered an
18 alternative mortgage instrument by a lender must also
19 be offered a standard mortgage instrument by the
20 lender.

21 3. A lender offering to make a loan secured by
22 an alternative mortgage instrument shall obtain and
23 retain in the loan application file a certification
24 signed by the prospective borrower that the borrower
25 received the disclosure materials specified in this
26 chapter for the type of mortgage instrument used,
27 and that the disclosure was made prior to the time
28 the borrower made the election to accept the al-
29 ternative mortgage instrument.

30 **Sec. 4. NEW SECTION. GRADUATED PAYMENT MORTGAGE—**
31 **TERMS. A graduated payment mortgage is a mortgage**
32 **which".**

33 3. Page 2, by inserting after line 19 the follow-
34 ing:

35 "Sec. 5. **NEW SECTION. CONVERSION OF GRADUATED**
36 **PAYMENT MORTGAGE.** The borrower under a graduated
37 payment mortgage has the right to convert at any time
38 to a standard mortgage instrument, if at the time
39 of exercising the option to convert the borrower
40 qualifies for the standard mortgage instrument under
41 the lender's ordinary underwriting standards.
42 Penalties or fees otherwise permitted by law upon
43 prepayment of a loan shall not be assessed by the
44 lender upon conversion of a graduated payment mortgage
45 if the borrower chooses to convert the graduated
46 payment mortgage at the interest rate specified in
47 the graduated payment mortgage and for the remainder
48 of the term of the graduated payment mortgage.

49 **Sec. 6. NEW SECTION. DISCLOSURE FOR GRADUATED**
50 **PAYMENT MORTGAGE.** Prior to the closing of a loan

Page 2

1 secured by a graduated payment mortgage, the lender
2 shall deliver to the prospective borrower written
3 materials which explain in reasonably simple terms
4 the graduated payment mortgage offered and a standard
5 mortgage instrument for the same principal amount.

6 These materials shall include all of the following:

7 a. A side-by-side comparison of differing interest
8 rates and other terms.

9 b. Payment schedules for both the graduated payment
10 mortgage and the standard mortgage, and the total
11 payment in dollars over the full term of each type
12 of loan.

13 c. A description of the conversion option which
14 is available to the borrower under section three (3)
15 of this Act.

16 d. A statement prominently displayed that the
17 borrower has the option to elect a standard mortgage
18 instrument rather than a graduated payment mortgage."

19 4. Page 2, by striking line 20 and inserting in
20 lieu thereof the following:

21 "Sec. 7. NEW SECTION. VARIABLE RATE MORTGAGE—
22 TERMS. A variable rate mortgage is a mortgage which
23 secures".

24 5. Page 3, line 11, by striking the word "one-
25 twentieth" and inserting in lieu thereof the word
26 "one-tenth".

27 6. Page 3, by striking lines 25 and 26 and
28 inserting in lieu thereof the following: "the
29 reference index which is used under section five
30 hundred thirty-five point two (535.2), subsection
31 three (3), of the Code for purposes of determining
32 the usury rate for this state."

33 7. Page 3, by inserting after line 26 the follow-
34 ing:

35 "Sec. 8. NEW SECTION. PREPAYMENT OF VARIABLE
36 RATE MORTGAGE. Within sixty days after the borrower
37 is given notice of a change in the interest rate under
38 a variable rate mortgage, the borrower is entitled,
39 if the change is an increase in the interest rate,
40 to prepay the loan, either in full or in part, without
41 penalty. If the borrower elects to prepay under this
42 section, the borrower waives for the year the right
43 under section seven (7) of this Act to extend the
44 maturity date of the loan.

45 Sec. 9. NEW SECTION. RATE CHANGE NOTICE FOR
46 VARIABLE RATE MORTGAGE. The notice of interest rate
47 change given by the lender under section seven (7)
48 of this Act shall include all of the following
49 information:

50 1. The current interest rate and new interest

Page 3

1 rate under the loan.

2 2. The old and new index rates.

3 3. The amount of accumulated but unused rate
4 changes, if any.

5 4. The current monthly payment, the new monthly
6 payment if the rate change is placed into effect,
7 and the remaining maturity of the loan.

8 5. If the rate change is an increase, a description
9 of the options which the borrower has upon receipt
10 of the notice, including the new payment and the new
11 maturity date of the loan if the borrower elects to
12 extend the loan to the maximum period permitted under
13 section seven (7) of this Act.

14 6. If the rate change is a decrease, a description
15 of the manner in which the decrease is to be applied.

16 Sec. 10. NEW SECTION. DISCLOSURES FOR VARIABLE
17 RATE MORTGAGE. Prior to the closing of a loan secured
18 by a variable rate mortgage, the lender shall deliver
19 to the prospective borrower written materials which
20 explain in reasonably simple terms the variable rate
21 mortgage offered and a comparable standard mortgage
22 instrument. These written materials shall include
23 all of the following:

24 1. A side-by-side comparison of differing interest
25 rates and other terms.

26 2. Payment schedules for both types of instruments,
27 including a "worst case" schedule for the variable
28 rate mortgage which shows every maximum increase at
29 the time it could first occur, the highest possible
30 payment during the loan term, and the total payment
31 in dollars over the full term of each loan, with a
32 statement that the total payment for the variable
33 rate mortgage would be greater in the event of election
34 of the borrower to extend the loan.

35 3. Information regarding the index used.

36 4. A description of the borrower's options in
37 the event of an increase in the interest rate.

38 5. A statement, prominently displayed, that
39 borrowers have the option to elect a standard mortgage
40 instrument.

41 6. A statement that if the prospective borrower
42 has questions regarding the disclosures, the borrower
43 may contact the regulatory agency of this state which
44 regulates the lender. Each lender shall also disclose
45 the name and address and telephone number of the
46 particular individual who is designated by the
47 regulatory agency of this state to respond to inquiries
48 under this paragraph for the type of lender making
49 the disclosure."

50 8. Page 3, by striking line 27 and inserting in

Page 4

1 lieu thereof the following:

2 "Sec. 11. NEW SECTION. REVERSE ANNUITY MORTGAGES.

3 A reverse annuity mortgage is a mortgage on one-".

4 9. By striking page 3, line 34 through page 4,

5 line 3, and inserting in lieu thereof the following:

6 "of a specific event. Loans secured".

7 10. Page 4, line 6, by striking the words and

8 figures "three (3), four (4) and five (5)" and

9 inserting in lieu thereof the words and figures "twelve
10 (12), thirteen (13) and fourteen (14)".

11 11. Page 4, by striking lines 8 through 10 and

12 inserting in lieu thereof the following:

13 "Sec. 12. NEW SECTION. QUALIFICATIONS FOR REVERSE
14 ANNUITY MORTGAGE PLANS."

15 12. Page 4, by inserting after line 31 the

16 following:

17 "5. Loan applicants shall not be bound for seven
18 days after the loan commitment is made."

19 13. Page 4, by striking line 32 and inserting

20 in lieu thereof the following:

21 "Sec. 13. NEW SECTION. TERMS AND CONDITIONS OF
22 REVERSE ANNUITY MORTGAGES. Mortgage instruments".

23 14. Page 5, lines 4 and 5, by striking the words

24 and figures "section three (3), subsection four (4)

25 of this Act" and inserting in lieu thereof the words

26 "this section".

27 15. Page 5, line 13, by inserting after the word

28 "agent" the words "and the annuity must be purchased
29 from a life insurance company which is authorized
30 to issue annuities in this state".

31 16. Page 5, by striking lines 26 through 30.

32 17. Page 5, line 33, by inserting after the word

33 "borrower" the words "shall be fixed at the time of
34 loan origination and".

35 18. Page 5, by inserting after line 34 the

36 following:

37 " . The loan may become due either on a specific
38 date or upon the occurrence of a specific event,
39 provided that the lender shall refinance, at the
40 request of the borrower and at a market interest rate
41 which is current as of the date the loan becomes due,
42 a loan secured by a reverse annuity mortgage which
43 becomes due prior to a sale or gift of an interest
44 in the real property."

45 19. Page 5, by striking line 35 and inserting

46 in lieu thereof the following:

47 "Sec. 14. NEW SECTION. DISCLOSURE FOR REVERSE
48 ANNUITY MORTGAGES. A lender shall not".

49 20. Page 6, line 10, by inserting after the word

50 "The" the words "rights and".

Page 5

- 1 21. Page 6, by inserting after line 21 the
2 following:
3 "3. At the time of loan commitment, the lender
4 shall deliver to the borrower written materials
5 explaining in reasonably simple language the terms
6 of the loan being offered. These materials shall
7 include all of the following:
8 a. The schedule and an explanation of payments
9 to be received by borrower, and whether or not property
10 taxes and insurance are to be deducted from the
11 payments.
12 b. A schedule of the outstanding debt which would
13 exist during the term of the loan.
14 c. The repayment date of the loan, if the loan
15 is a fixed-term loan, and a description of any event
16 which causes the loan to become due, including but
17 not limited to a sale of the property or the death
18 of one or more of the mortgagors.
19 d. The method of repayment, and the repayment
20 schedule, if any.
21 e. All contractual contingencies, including but
22 not limited to lack of home maintenance and other
23 default provisions, which may result in a forced sale
24 of the property.
25 f. The interest rate and the total amount of
26 interest payable on the loan.
27 g. The effective interest rate and the amount
28 of interest earned or expected to be earned on
29 purchased annuities, based on standard mortality
30 tables.
31 h. The name and address of the insurance company
32 from which the annuity is to be purchased, if any.
33 i. The initial loan fees and charges.
34 j. A description of the prepayment and refinancing
35 features of the loan.
36 k. A statement that the mortgage may have tax
37 and estate-planning consequences and may effect levels
38 of or eligibility for certain governmental benefits,
39 grants or pensions, and that the borrower is advised
40 to explore these matters with appropriate authorities
41 or with an attorney.
42 4. The lender shall obtain a statement signed
43 by the borrower which acknowledges receipt of the
44 disclosure required by subsection three (3), paragraph
45 e, of this section."
46 22. Page 6, by inserting after line 28 the
47 following:
48 "A regulatory agency may promulgate rules as
49 necessary to administer or enforce this chapter."
50 23. By renumbering sections and subsections and

Page 6

1 correcting internal references in the bill.

Amendment H—3445 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. 658)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	De Groot	Dieleman
Diemer	Doyle	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Walter

Absent or not voting, 8:

Connors	Danker	Davitt	Egenes
Hullinger	Lura	Oxley	Rapp

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

Welsh of Dubuque asked and received unanimous consent to be recorded as voting "aye" on House File 713 and the vote was so recorded.

REFERRED TO COMMITTEE ON WAYS AND MEANS (House File 714)

Halvorson of Clayton asked and received unanimous consent that House File 714, presently on the regular calendar, be referred to the committee on ways and means.

PRESENTATION OF VISITORS

Halvorson of Clayton presented to the House Chris Walter, 1979 Clayton County Pork Queen, presently attending Guttenberg Community High School, Guttenberg, Iowa.

Van Maanen of Mahaska presented to the House the Honorable Norman Roorda, former member of the House representing Jasper, Marion, Polk and Warren Counties.

Halvorson of Clayton presented to the House Mary Ann Lizares, Rotary Exchange Student from Baccold, Phillipines, presently attending Guttenberg Community High School, Guttenberg, Iowa. Her host parents are Vernon and A. J. Walter.

The Speaker announced that the following visitors were present in the House chamber:

Six Cub Scouts from Den 1, Pack 182, Ankeny, Iowa, accompanied by Diane Reid. By Byerly of Polk.

On motion by Halvorson of Clayton the House was recessed at 12:20 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 677, a bill for an act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance, was taken up for consideration.

Clark 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. 677)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorezen	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Egenes	Jesse	Lonergan	Lura
Pelton	Stromer	Swearingen	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 707, a bill for an act authorizing certain preparations for and prescribing a procedure for the redistricting of the general assembly and the redrawing of congressional districts following the 1980 federal decennial census, was taken up for consideration.

Halvorson of Clayton moved the previous question on House File 707.

A non-record roll call was requested.

The ayes were 56, nays 38.

The motion prevailed.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Halvorson of Clayton asked and received unanimous consent to remove the previous question on speaking only on House File 707.

Davitt of Warren offered the following amendment H—3566 filed by him and Halvorson of Webster and moved its adoption:

H—3566

- 1 Amend House File 707 as follows:
- 2 1. Page 2, line 11, by inserting after the
- 3 word "nature." the words "If the general assembly
- 4 adopts amendments other than those of a purely
- 5 corrective nature the plan shall be considered to
- 6 have been rejected."
- 7 2. Page 2, line 18, by inserting after the
- 8 word "representatives," the words "or is amended
- 9 in violation of the intent language in subsection
- 10 one (1) of section two (2)."
- 11 3. Page 3, line 9, by inserting after the
- 12 word "representatives," the words "or is amended
- 13 in violation of the intent language in subsection
- 14 one (1), of section two (2)."

A non-record roll call was requested.

The ayes were 37, nays 51.

Amendment H—3566 lost.

Cochran of Webster offered the following amendment H—3559 filed by him and Halvorson of Webster and moved its adoption:

H—3559

- 1 Amend House File 707 as follows:
- 2 1. Page 2, line 14, by inserting after the word
- 3 "rule." the following: "It is further the intent of
- 4 this Act that the presiding officers of the senate
- 5 and the house of representatives of the Sixty-ninth
- 6 General Assembly shall see to it that a temporary,
- 7 special rule or procedure is approved and used as
- 8 necessary to carry out the provisions of this sub-
- 9 section."

A non-record roll call was requested.

The ayes were 35, nays 53.

Amendment H—3559 lost.

Hullinger of Decatur offered the following amendment H—3567 filed by him and Halvorson of Webster and moved its adoption:

H—3567

- 1 Amend House File 707 as follows:
- 2 1. Page 2, line 21, by inserting after the
- 3 word "house" the words "majority and minority
- 4 floor leaders".

Amendment H—3567 lost.

Welden of Hardin offered the following amendment H—3574 filed by Welden, et al., and moved its adoption:

H—3574

- 1 Amend House File 707 as follows:
- 2 1. Page 3, by striking line 26 through page 4,
- 3 line 9 and inserting in lieu thereof the following:
- 4 "(3) of this section, if the population data for
- 5 legislative districting".
- 6 2. Page 9, by striking lines 15 and 16 and
- 7 inserting in lieu thereof the words "two representative
- 8 districts be wholly included within each senatorial
- 9 district, and that each senatorial district be wholly
- 10 included within a congressional district. The total

- 11 number of senatorial districts shall be the greatest
 12 number, not exceeding fifty, which is evenly divisible
 13 by the number of seats in congress apportioned to
 14 Iowa for the Ninety-eighth Congress."

A non-record roll call was requested.

The ayes were 38, nays 60.

Amendment H—3574 lost.

Patchett of Johnson offered the following amendment H—3602 filed by him and Brandt of Black Hawk and requested division as follows:

H—3602

- 1 Amend House File 707 as follows:

H—3602A

- 2 1. Page 4, by striking lines 20, 21 and 22 and
 3 inserting in lieu thereof the following:
 4 "a. The ideal population for senatorial and
 5 representative districts, respectively, shall be
 6 determined by".

H—3602B

- 7 2. Page 4, line 28, by striking everything after
 8 the period.
 9 3. Page 4, by striking lines 29 through 35.

H—3602A

- 10 4. Page 5, line 2, by striking the words "is
 11 . practicable".

H—3602B

- 12 5. Page 5, by striking lines 4, 5 and 6 and
 13 inserting in lieu thereof the words "subsection, as
 14 can be achieved in compliance with".
 15 6. Page 5, lines 12 and 13, by striking the words
 16 "in excess of one percent".

Patchett of Johnson asked and received unanimous consent to temporarily defer action on amendment H—3602A.

Patchett of Johnson moved the adoption of amendment H—3602B.

Roll call was requested by Brandt of Black Hawk and Bina of Scott.

On the question "Shall amendment H—3602B be adopted?"

The ayes were, 36:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Horn
Howell	Jay	Jochum	Lloyd-Jones
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Spear	Walter	Wells	Woods

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 9:

Cochran	Hinkhouse	Hullinger	Husak
Jesse	Lonergan	Perkins	Ritsema
Welsh			

Amendment H—3602B lost.

Patchett of Johnson moved the adoption of amendment H—3602A.

A non-record roll call was requested.

The ayes were 38, nays 52.

Amendment H—3602A lost.

Shimanek of Jones offered the following amendment H—3532 filed by Shimanek, et al.:

H—3532

- 1 Amend House File 707 as follows:
- 2 1. Page 4, by striking lines 33, 34 and 35 and
- 3 inserting in lieu thereof the words "district popu-
- 4 lation. No senatorial district shall have a popu-
- 5 lation which exceeds that of any other senatorial
- 6 district by more than five percent, and no representa-
- 7 tive district shall have a population which exceeds
- 8 that of any other representative district by more
- 9 than five percent."

Hall of Linn offered the following amendment H—3611, to amendment H—3532, filed by him from the floor and moved its adoption:

H—3611

- 1 Amend amendment H—3532 to page 4 of House
- 2 File 707 as follows:
- 3 1. Page 1, line 6, by striking the word "five"
- 4 and inserting in lieu thereof the word "three".
- 5 2. Page 1, line 9, by striking the word "five"
- 6 and inserting in lieu thereof the word "three".

Roll call was requested by Hall of Linn and Davitt of Warren.

On the question "Shall amendment H—3611, to amendment H—3532, be adopted?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Horn
Howell	Hullinger	Jay	Jochum
Lloyd-Jones	Miller	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

Absent or not voting, 10:

Chiodo	Egenes	Hinkhouse	Husak
Jesse	Lonergan	Norland	O'Kane
Smalley	Welden		

Amendment H—3611 lost.

On motion by Shimanek of Jones, amendment H—3532 was adopted.

Brandt of Black Hawk offered the following amendment H—3586 filed by her:

H—3586

- 1 Amend House File 707 as follows:
- 2 1. Page 6, line 2, by striking the words "and c"
- 3 and inserting in lieu thereof the words ", c and d".
- 4 2. Page 8, by inserting after line 33, the
- 5 following new paragraph:
- 6 "d. The compactness of a district is greatest
- 7 when the number of sides of the district is fewest.
- 8 A side shall be defined as a portion of a district
- 9 boundary which runs in a single direction without
- 10 a bend of greater than thirty degrees; a portion of
- 11 a district boundary following a single natural
- 12 geographic feature, such as a river; or a portion
- 13 of a district boundary following a boundary of a
- 14 subdivision of this state which has a change in
- 15 direction caused by a land survey correction. Short
- 16 changes in direction occurring when a district
- 17 boundary follows a municipal boundary line shall be
- 18 ignored."

Brandt of Black Hawk offered the following amendment H—3619, to amendment H—3586, filed by her from the floor and moved its adoption:

H—3619

- 1 Amend the Brandt amendment, H—3586, to House File
- 2 707 as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "district" the words "having more than four sides".
- 5 2. Page 1, line 7, by inserting after the word
- 6 "district" the words "exceeding four".

Amendment H—3619 was adopted.

Brandt of Black Hawk moved the adoption of amendment H—3586, as amended.

A non-record roll call was requested.

The ayes were 32, nays 53.

Amendment H—3586, as amended, lost.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H—3565 (to page 6), filed by him on March 26, 1979.

Halvorson of Webster offered the following amendment H—3604 filed by him and moved its adoption:

H—3604

- 1 Amend House File 707 as follows:
- 2 1. Page 6, line 3, by inserting after the period
- 3 the words "Should the results of these two tests be
- 4 contradictory, the standard referred to in paragraph
- 5 b of this subsection shall be given greater weight
- 6 than the standard referred to in paragraph c of this
- 7 subsection."

Amendment H—3604 was adopted.

Halvorson of Webster asked and received unanimous consent to temporarily defer action on amendment H—3570.

Halvorson of Webster offered the following amendment H—3571 filed by him and moved its adoption:

H—3571

- 1 Amend House File 707 as follows:
- 2 1. Page 9, line 16, by inserting after the word
- 3 "district" the words "and that, so far as possible,
- 4 each representative and each senatorial district shall
- 5 be included within a single congressional district".

Amendment H—3571 was adopted.

Halvorson of Webster offered the following amendment H—3570 filed by him and moved its adoption:

H—3570

- 1 Amend House File 707 as follows:
- 2 1. Page 9, by striking lines 9, 10 and 11.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—3570 be adopted?"

The ayes were, 34:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connors	Cusack	Davitt
Dieleman	Doyle	Groth	Hall
Halvorson, R.N.	Hanson, D.	Horn	Howell
Hullinger	Jay	Jochum	Norland
O'Kane	Oxley	Pavich	Perkins
Rapp	Spear	Walter	Wells
Welsh	Woods		

The nays were, 56:

Anderson, J.	Anderson, R.	Bennett	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Connolly
Corey	Crabb	Crawford	Danker
De Groot	Diemer	Gettings	Halvorson, R.A.
Hansen, I.	Harbor	Hibbs	Hoffmann
Holt	Humme!	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Patchett	Pellett	Pelton

Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

Absent or not voting, 10:

Daggett	Egenes	Evans	Hinkhouse
Husak	Jesse	Krewson	Lonergan
Stromer	Welden		

Amendment H—3570 lost.

Shimanek of Jones 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. 707)

The ayes were, 97:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Hinkhouse

Husak

Lonergan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULE 2 SUSPENDED

Halvorson of Clayton moved to suspend Rule 2 to continue session beyond 6:00 p.m.

A non-record roll call was requested.

The ayes were 53, nays 41.

The motion prevailed.

MOTION TO RECONSIDER PREVAILED (House File 315)

Pope of Polk called up for consideration the motion to reconsider House File 315, filed on March 27, 1979, and moved to reconsider the vote by which House File 315, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property, failed to pass the House and was placed on its last reading on March 27, 1979.

Roll call was requested by Walter of Pottawattamie and Harbor of Mills.

On the question "Shall the motion to reconsider House File 315 prevail?"

The ayes were, 55:

Anderson, J.
Clark, B.J.
Crabb
De Groot
Hanson, D.
Holt
Johnson, W.
Larsen
Maulsby

Bennett
Clark, J.H.
Crawford
Evans
Harbor
Hummel
Kirkenslager
Lind
McKean

Brandt
Conlon
Daggett
Halvorson, R.A.
Hibbs
Johnson, J.
Krewson
Lorenzen
Menke

Branstad
Corey
Danker
Hansen, I.
Hoffmann
Johnson, R.
Lageschulte
Lura
Mullins

Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 36:

Anderson, R.	Arnould,	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Cannolly	Connors	Cusack
Davitt	Dieleman	Gettings	Hall
Halvorson, R.N.	Horn	Howell	Jay
Jesse	Jochum	Lloyd-Jones	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 9:

Diemer	Doyle	Egenes	Groth
Hinkhouse	Hullinger	Husak	Lonergan
Perkins			

The motion prevailed and the House reconsidered House File 315, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

Halvorson of Clayton moved to suspend the rules for the consideration of amendment H—3623 filed by him and Schroeder of Pottawattamie from the floor.

A non-record roll call was requested.

The ayes were 55, nays 36.

The motion prevailed and the rules were suspended for the consideration of amendment H—3623.

Halvorson of Clayton moved the previous question on motions, filing of amendments and amendments to amendments to House File 315.

A non-record roll call was requested.

The ayes were 55, nays 37.

The motion prevailed.

Schroeder of Pottawattamie offered the following amendment H—3623 filed from the floor by Halvorson of Clayton and Schroeder of Pottawattamie:

H—3623

- 1 1. Page 1, by striking lines 6 and 7 and in-
- 2 serting in lieu thereof the following: "improvement
- 3 to real property based on tort and implied warranty
- 4 and for".
- 5 2. Page 1, line 10, by striking the word "ten"
- 6 and inserting in lieu thereof the word "fifteen".

Groth of Buena Vista offered the following amendment H—3634, to amendment H—3623, filed by Groth, Conlon, Hibbs, Halvorson of Webster, Schroeder, and Cochran from the floor:

H—3634

- 1 Amend the amendment, H—3623, to Page 1 of House
- 2 File 315 as follows:
- 3 1. Page 1, by inserting after line 6 the
- 4 following:
- 5 "3. Page 1, line 12, by adding after the word
- 6 "death." the words "This Act shall not be construed
- 7 to bar an action against any person solely in his or
- 8 her capacity as owner, occupant, or operator of an
- 9 improvement to real property." "

Smalley of Polk asked for unanimous consent to defer action on amendment H—3634 for the consideration of amendment H—3638.

Objection was raised.

Groth of Buena Vista moved the adoption of amendment H—3634, to amendment H—3623.

Roll call was requested by Groth of Buena Vista and Welsh of Dubuque.

On the question "Shall amendment H—3634, to amendment H—3623, be adopted?"

The ayes were, 43:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Cochran	Conlon	Connolly
Connors	Daggett	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Horn
Howell	Hullinger	Hummel	Johnson, J.
Kirkenslager	Lageschulte	Larsen	Lloyd-Jones
Miller	Norland	O'Kane	Patchett
Pellett	Perkins	Spear	Stromer
Tofte	Walter	Welden	Wells
Welsh	West	Woods	

The nays were, 54:

Anderson, J.	Arnould	Bennett	Brandt
Branstad	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Cusack	Danker	Davitt	De Groot
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Krewson	Lind	Lorezen	Lura
Maulsby	McKean	Menke	Mullins
Oxley	Pavich	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Swearingen	Thompson	Tyrrell
Van Maanen	Mr. Speaker		

Absent or not voting, 3:

Hinkhouse	Husak	Loneragan
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Amendment H—3634 lost.

Smalley of Polk offered the following amendment H—3638, to amendment H—3623, filed by him and Rapp of Black Hawk from the floor and moved its adoption:

H—3638

- 1 Amend the amendment, H—3623, to Page 1 of House
- 2 File 315 as follows:
- 3 1. Page 1, by inserting after line 6 the
- 4 following:
- 5 "3. Page 1, line 12, by adding after the word
- 6 "death." the words "This Act shall not be construed
- 7 to bar an action against any person solely in his or
- 8 her capacity as owner, occupant, or operator of an

- 9 improvement to real property or to limit actions
 10 relating to fixtures to real property.

Roll call was requested by Jesse of Polk and Walter of Pottawattamie.

On the question "Shall amendment H-3638, to amendment H-3623, be adopted?"

The ayes were, 58:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Crawford	Cusack	Daggett	Davitt
Dieleman	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jesse
Jochum	Krewson	Lageschulte	Larsen
Lloyd-Jones	McKean	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Shimanek
Shull	Smalley	Spear	Walter
Wells	Welsh		

The nays were, 38:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Diemer	Halvorson, R.A.
Hansen, I.	Harbor	Hibbs	Hoffmann
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lind	Lorenzen	Lura	Maulsby
Menke	Pellett	Pope	Schneklath
Schroeder	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Welden	West
Woods	Mr. Speaker		

Absent or not voting, 4:

Hinkhouse	Husak	Loneragan	Tofte
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Amendment H-3638 was adopted.

Schroeder of Pottawattamie moved the adoption of amendment H-3623, as amended.

A non-record roll call was requested.

The ayes were 83, nays 8.

Amendment H—3623, 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (H.F. 315)

The ayes were, 79:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Miller	Mullins
Norland	Oxley	Pellett	Perkins
Poffenberger	Pope	Schneklath	Schroeder
Sherzan	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
West	Woods	Mr. Speaker	

The nays were, 18:

Arnould	Connors	Cusack	Davitt
Jay	Jesse	Jochum	Lloyd-Jones
McKea	O'Kane	Patchett	Pavich
Pelton	Rapp	Ritsema	Shimaneck
Walter	Welsh		

Absent or not voting, 3:

Hinkhouse	Husak	Loneragan
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**UNANIMOUS CONSENT CALENDAR
(House Resolution 29)**

We hereby respectfully request that House Resolution 29, filed on March 19, 1979 and found on pages 1008 and 1009 of the House Journal, be placed on the unanimous consent calendar.

WALTER of Pottawattamie
LIND of Black Hawk
BINA of Scott

**SPONSOR ADDED
(Amendment H—3593 to Senate File 388)**

Shull of Warren requested to be added as a sponsor of amendment H—3593, to Senate File 388.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 28, 1979. Had I been present, I would have voted "aye" on House Files 658, 677, 696, 704, 710, 711, 712 and 713.

SWEARINGEN of Keokuk

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 232 Ways and Means

Relating to the appointment of incumbent assessors for terms beginning January 1, 1980 and making the Act retroactive.

S.B. 233 Ways and Means

Relating to membership in the Iowa state association of counties.

AMENDMENTS FILED

H—3612
H—3613

H.F. 719
H.F. 691

Howell of Floyd
Byerly of Polk

		Walter of Pottawattamie
		Halvorson of Webster
H—3614	H.F. 691	Byerly of Polk
		Chiodo of Polk
H—3615	H.F. 691	Byerly of Polk
		Pavich of Pottawattamie
H—3620	H.F. 663	Miller of Buchanan
		Clark of Cerro Gordo
H—3621	H.F. 293	Diemer of Black Hawk
H—3622	H.F. 720	Pelton of Clinton
		Menke of O'Brien
		De Groot of Lyon
		Poffenberger of Dallas
		Lageschulte of Bremer
		Arnould of Scott
H—3624	S.F. 388	Welden of Hardin
H—3625	H.F. 701	Danker of Pottawattamie
		Harbor of Mills
		De Groot of Lyon
		Pavich of Pottawattamie
		Welsh of Dubuque
		Binneboese of Plymouth
		Lind of Black Hawk
		Hanson of Delaware
		Hummel of Benton
		Woods of Polk
		Swearingen of Keokuk
		Van Maanen of Mahaska
		Davitt of Warren
		Dieleman of Marion
		Pellett of Cass
		Howell of Floyd
		McKean of Jones
		O'Kane of Woodbury
		Spear of Lee
		Tofte of Winneshiek
		Holt of Clay
		Bennett of Ida
		Maulsby of Calhoun
H—3626	H.F. 693	Conlon of Muscatine
H—3627	H.F. 701	Bennett of Ida
		Clark of Cerro Gordo
H—3628	H.F. 701	Bennett of Ida
H—3629	H.F. 701	Brandt of Black Hawk

H—3630	H.F. 691	Jochum of Dubuque
H—3631	S.F. 388	Brandt of Black Hawk
H—3632	H.F. 719	Hullinger of Decatur
H—3633	H.F. 719	Perkins of Greene
H—3635	H.F. 705	Diemer of Black Hawk
H—3636	H.F. 701	Miller of Buchanan
	Daggett of Taylor	Hummel of Benton
	Danker of Pottawattamie	Lind of Black Hawk
	Doyle of Woodbury	Husak of Tama
	Hinkhouse of Cedar	Wells of Linn
	Hall of Linn	Cochran of Webster
	Pavich of Pottawattamie	Perkins of Greene
	De Groot of Lyon	Horn of Linn
H—3637	H.F. 719	Hullinger of Decatur
H—3639	H.F. 709	Ritsema of Sioux
H—3640	H.F. 720	Lura of Marshall
		Hanson of Delaware
		Daggett of Taylor
		Conlon of Muscatine
		Holt of Clay
		Clark of Cerro Gordo
H—3641	S.F. 373	Kirkenslager of Des Moines

On motion by Halvorson of Clayton the House adjourned at 7:10 p.m., until 1:00 p.m., Thursday, March 29, 1979.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day — Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 29, 1979

The House met pursuant to adjournment, Speaker pro tempore Harbor of Mills in the chair.

Prayer was offered by Monsignor J. E. Tolan, pastor of St. Joseph's Parish, Wall Lake, Iowa.

The Journal of Wednesday, March 28, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. L. McClenahan, Sigourney, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tofte of Winneshiek on request of Stromer of Hancock; Cochran of Webster and Doyle of Woodbury on request of Hullinger of Decatur; Hall of Linn on request of Avenson of Fayette.

SPECIAL PRESENTATION

Speaker pro tempore Harbor of Mills invited Larsen of Wapello and Holt of Clay to the Speaker's station, for a special presentation in honor of the twenty-fifth anniversary of the United States Air Force Academy. Iowa has been well represented with nearly 350 of its fine young people having been chosen to undergo the training.

Larsen of Wapello presented to the House Colonel Severd Johnsen, a reserve officer from Agency, Iowa, who serves the Academy as the Admissions Liaison Coordinator for Iowa. He has served the Academy for ten years.

Holt of Clay presented to the House Cadet 3rd Class Michelle Johnson from Spencer, Iowa, the daughter of Mr. and Mrs. Ronald Johnson. Cadet Johnson is in her second year of the Academy and was the recipient of the Outstanding Cadet Achievement Award at

the end of her first year. This is the first time an Iowan and a female has received the award. Cadet Johnson addressed the House briefly.

The House rose and expressed its welcome.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty eighth grade students from Maquoketa Junior High School, Maquoketa, Iowa, accompanied by Elaine Bowen. By McKean of Jones.

Eighty students from Central High School, Argyle, Iowa, accompanied by Howard Carter. By Clark of Lee.

SENATE MESSAGES CONSIDERED

Senate File 39, a bill for an act relating to the treatment of free newspapers and shoppers guides under the state sales tax.

Read first time and referred to committee on **ways and means**.

Senate File 221, a bill for an act relating to the revocation of a motor vehicle license.

Read first time and referred to committee on **transportation**.

Senate File 252, a bill for an act relating to municipal improvement districts.

Read first time and **passed on file**.

Senate File 422, a bill for an act relating to the laying of gas mains and water mains along highways.

Read first time and referred to committee on **county government**.

Senate File 423, a bill for an act relating to travel expenses and salaries for members of the judicial branch of government.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 424, a bill for an act relating to the filing of objections to estate or property appraisalment.

Read first time and **passed on file**.

Senate File 426, a bill for an act relating to the employment of legal counsel by school cooperations.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 431, a bill for an act relating to complaints alleging violations of provisions relating to health care facilities.

Read first time and referred to committee on **human resources**.

Senate File 432, a bill for an act relating to licensing and regulation of child foster care facilities, and prescribing penalties.

Read first time and referred to committee on **human resources**.

Senate File 436, a bill for an act relating to the department of environmental quality's authority over public water supply systems.

Read first time and referred to committee on **natural resources**.

Senate File 437, a bill for an act to repeal the limitation on charitable devises.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 438, a bill for an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant.

Read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN
(House File 659)

Hansen of O'Brien asked and received unanimous consent to withdraw the motion to reconsider House File 659 filed by him on March 27, 1979.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-four members present, sixteen absent.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent that House Files 676 and 693, presently on the ways and means calendar, be placed under unfinished business.

CONSIDERATION OF BILLS
Regular Calendar

House File 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service, was taken up for consideration.

Hoffmann 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. 706)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson

Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Thompson	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker (Harbor)	

The nays were, 1:

Byerly

Absent or not voting, 16:

Chiodo	Cochran	Doyle	Hall
Hullinger	Jesse	Lageschulte	Larsen
Lura	Millen	Miller	Perkins
Ritsema	Swearingen	Tofte	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

(House File 706)

Hoffmann of Muscatine asked and received unanimous consent to immediately message House File 706 to the Senate.

House File 709, a bill for an act relating to domestic abuse and providing a penalty, was taken up for consideration.

Ritsema of Sioux offered the following amendment H—3639 filed by him and moved its adoption:

H—3639

- 1 Amend House File 709 as follows:
- 2 1. Page 4, line 32, by striking the word "child"
- 3 and inserting in lieu thereof the word "domestic".

Amendment H—3639 was adopted.

Welden of Hardin offered the following amendment H—3580 filed by him and moved its adoption:

H-3580

- 1 Amend House File 709 as follows:
- 2 1. Page 2, line 25, by striking the word
- 3 "shall" and inserting in lieu thereof the word
- 4 "may".

Amendment H-3580 was adopted.

Ritsema 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. 709)

The ayes were, 88:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Brahnstad	Bruner	Eyerly	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Walter
Wells	Welsh	West	Mr. Speaker (Harbor)

The nays were, 2:

Schroeder Welden

Absent or not voting, 10:

Chiodo	Cochran	Doyle	Hall
Hoffmann	Jesse	Millen	Perkins
Tofte	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULE 37 INVOKED

Egenes of Story rose on a point of order and invoked Rule 37 on House File 722, presently on the regular calendar.

The Speaker ruled the point well taken and House File 722 referred to the committee on ways and means.

Speaker Millen in the chair at 1:45 p.m.

House File 723, a bill for an act relating to access to certain sealed records for the purpose of locating county of birth by an adult adopted person and to the disclosure of medical and developmental information concerning an adult adopted person or a person to be adopted and that person's natural parents, was taken up for consideration.

Mullins of Kossuth offered the following amendment H—3644 filed by her from the floor and moved its adoption:

H—3644

- 1 Amend House File 723 as follows:
- 2 1. Amend the title, line 2, by striking the
- 3 word "birth" and inserting in lieu thereof the
- 4 word "adoption".

Amendment H—3644 was adopted.

Mullins of Kossuth 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. 723)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack

Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzo
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tyrrell
Van Maanen	Walter	Welden	Welsh
West	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Chiodo	Cochran	Doyle	Hall
Halvorson, R.N.	Jesse	Schroeder	Tofte
Wells	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 725, a bill for an act to amend the certificate of need law enacted in 1977, by increasing the number of members of the state health facilities council, by permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying for one additional year the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions, was taken up for consideration.

Maulsby of Calhoun offered the following amendment H-3599 filed by him:

H-3599

- 1 Amend House File 725 as follows:
- 2 1. Page 1, by striking lines 15 through 22 and

3 inserting in lieu thereof the words "the planning
4 and delivery of health services. At least five members
5 of the council shall be consumers, and not more than
6 two members may be health care providers. No consumer
7 member of the council, nor any spouse of such a member,
8 shall during the time that member is serving on the
9 council:

10 (1) ~~Be be~~ a health care provider nor be otherwise
11 directly or indirectly engaged in the delivery of
12 health care services nor have a material financial
13 interest in the providing or delivery of health
14 services; ~~nor~~

15 (2) ~~Serve~~. A person shall not serve concurrently
16 as a council member and as a member of any board or
17 other policy-making".

Maulsby of Calhoun offered the following amendment H—3642,
to amendment H—3599, filed by him from the floor:

H—3642

1 Amend the Maulsby amendment, H—3599, to House File
2 725 as follows:

3 1. By striking line 2 and inserting in lieu thereof
4 the following:

5 "1. Page 1, line 3, by striking the words "and
6 b" and inserting in lieu thereof the words ", b and
7 c".

8 2. Page 1, by striking lines 15 through 22 and".

9 2. By inserting after line 17 the following:

10 "3. Page 2, by inserting after line 16 the
11 following:

12 "c. MEETINGS. The council shall hold an
13 organizational meeting in July of each odd-numbered
14 year, or as soon thereafter as the new appointee or
15 appointees are confirmed and have qualified. Other
16 meetings shall be held at least once each month, and
17 may be held more frequently if necessary to enable
18 the council to expeditiously discharge its duties.
19 Meeting dates shall be set upon adjournment or by
20 call of the chairperson upon five days' notice to
21 the other members. Each member of the council shall
22 receive a salary as fixed by the general assembly
23 and reimbursement for necessary travel and expenses
24 while engaged in his or her official duties. The
25 administrative budget for the council shall not be
26 increased by reason of the enlargement of the council
27 from five to seven members. There shall be withheld
28 from a council member's salary the equivalent of two
29 days' salary for each day that member was absent from
30 a council meeting called in accordance with this

- 31 paragraph, unless the absence is due to factors beyond
 32 the council member's control."

Spear of Lee asked for unanimous consent to defer action, on House File 725 and that the bill retain its place on the weekly debate calendar.

Objection was raised.

Maulsby of Calhoun moved the adoption of amendment H—3642, to amendment H—3599.

Roll call was requested by Byerly of Polk and Horn of Linn.

Rule 80 was invoked.

On the question "Shall amendment H—3642, to amendment H—3599, be adopted?"

The ayes were, 30:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Crabb	Daggett	De Groot
Hansen, I.	Hoffmann	Holt	Howell
Hummel	Johnson, R.	Johnson, W.	Lageschulte
Lind	Maulsby	McKean	Menke
Miller	Mullins	Oxley	Pellett
Poffenberger	Pope	Schnekloth	Schroeder
Van Maanen	Welden		

The nays were, 62:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Conlon	Connolly	Connors
Corey	Crawford	Cusack	Danker
Davitt	Dieleman	Diemer	Egenès
Evans	Gettings	Groth	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Horn	Hullinger	Husak	Jay
Jesse	Jochum	Johnson, J.	Kirkenslager
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Norland	O'Kane
Patchett	Pavich	Rapp	Ritsema
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tyrrell	Walter	Wells	Welsh
West	Mr. Speaker		

Absent or not voting, 8:

Cochran	Doyle	Hall	Halvorson, R.A.
Pelton	Perkins	Tofte	Woods

Amendment H—3642 lost.

Maulsby of Calhoun moved the adoption of amendment H—3599.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 48, nays 45.

Amendment H—3599 was adopted.

Maulsby 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?" (H.F. 725)

The ayes were, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Branstad	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lorenzen
Lura	Maulsby	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Ritsema
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tyrrell	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 9:

Brandt
Howell
Van Maanen

Byerly
Lonergan

Cusack
McKean

Daggett
Schnekloth

Absent or not voting, 7:

Arnould
Poffenberger

Cochran
Tofte

Doyle
Woods

Hall

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott for the remainder of the day on request of Cusack of Scott.

MOTION TO RECONSIDER WITHDRAWN (House File 654)

Lageschulte of Bremer asked and received unanimous consent to withdraw the motion to reconsider House File 654 filed by him on March 26, 1979.

House File 719, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief, was taken up for consideration.

Evans of Grundy asked and received unanimous consent to suspend Rule 25 and that Joe Obr, Department of Environmental Quality, be permitted in the House chamber during consideration of House File 719.

Evans of Grundy asked and received unanimous consent to withdraw amendment H-3596 (to page 1), filed by him on March 27, 1979.

Perkins of Greene offered the following amendment H-3601 filed by him and moved its adoption:

H-3601

- 1 Amend House File 719 as follows:
- 2 1. Page 1, line 15, by inserting after the word
- 3 "concentration," the words "biological degradation,
- 4 leaching from precipitation over long periods of
- 5 time."

Amendment H-3601 was adopted.

Perkins of Greene offered the following amendment H-3600 filed by him and moved its adoption:

H-3600

- 1 Amend House File 719 as follows:
- 2 1. Page 1, line 18, by striking the word
- 3 "significantly".

A non-record roll call was requested.

The ayes were 29, nays 52.

Amendment H-3600 lost.

Perkins of Greene offered the following amendment H-3575 filed by him:

H-3575

- 1 Amend House File 719 as follows:
- 2 1. Page 1, line 21, by striking the word
- 3 "substantial".

Evans of Grundy offered the following amendment H-3643, to amendment H-3575, filed by him from the floor and moved its adoption:

H-3643

- 1 Amend amendment H-3575 to House File 719 as
- 2 follows:
- 3 1. Page 1, line 3, by inserting after the word
- 4 "substantial" the words "and inserting in lieu
- 5 thereof the word "significant".

Amendment H-3643 was adopted.

On motion by Perkins of Greene, amendment H-3575, as amended, was adopted.

Evans of Grundy offered amendment H-3603 filed by him and requested division as follows:

H-3603

1 Amend House File 719 as follows:

H-3603A

2 1. Page 2, line 19, by inserting after the word
3 "waste." the words "The commission shall give highest
4 priority to the development of plans and a program
5 for assuring that suitable facilities and sites for
6 the treatment and disposal of hazardous wastes in
7 accordance with this Act are readily available to
8 persons generating hazardous wastes."

H-3603B

9 2. Page 2, line 32, by inserting after the word
10 "generated" the words "and an estimate of the cost
11 of these practices".

12 3. Page 3, by inserting after line 10 the following
13 paragraph:

14 " . The estimated private and public capital
15 and annual operating costs of implementing the
16 hazardous waste management plan recommended by the
17 commission."

18 4. Page 3, by inserting after line 27 the following
19 subsection:

20 " . Annually prepare a reasonable estimate of
21 public and private expenditures during the preceding
22 calendar year attributed to compliance with this Act.
23 The commission shall submit a report to the general
24 assembly listing these costs and the methods used
25 to estimate them by March first of each year. The
26 commission shall adopt rules as necessary to implement
27 this subsection."

H-3603C

28 5. Page 10, by striking lines 12 through 21 and
29 inserting in lieu thereof the words "issued under
30 this Act."

H-3603D

31 6. Page 10, by inserting before line 22 the
 32 following subsection:
 33 " . In a case arising from the violation of
 34 an order issued under subsection one (1), paragraphs
 35 a and b of this section, the burden of proof shall
 36 be on the state to show that the time specified in
 37 the order within which the individual must take
 38 corrective action is reasonable."

H-3603E

39 7. Page 11, by inserting after line 21 the
 40 following section:
 41 "Sec. . NEW SECTION. LIMITATION ON POWERS.
 42 A criminal or civil penalty shall not be imposed upon
 43 a person for improper disposal or treatment of
 44 hazardous waste until such time as a means of proper
 45 disposal or treatment is reasonably available to the
 46 person. This section does not limit or diminish the
 47 powers of the executive director, the commission or
 48 the court to act to accomplish any of the following:
 49 1. To terminate an emergency as provided in section
 50 nine (9), subsection one (1), paragraph b of this

Page 2

1 Act.
 2 2. To compel a person to provide, for that person's
 3 own use, facilities or equipment for the proper
 4 disposal or treatment of hazardous waste generated
 5 by that person when such action is reasonable based
 6 on the hazard posed, the quantity of waste involved
 7 and the financial resources of the person.
 8 3. To compel a person to cease an activity or
 9 desist from a practice that violates this Act or rules
 10 adopted under this Act."

H-3603F

11 8. Page 11, line 33, by inserting after the word
 12 "occurred." the following: "In addition to other
 13 rights of judicial review authorized by this section,
 14 a person who has complied with an order issued by
 15 the executive director or commission may within two
 16 years of compliance with the order seek relief in
 17 the district court on the grounds that the requirements
 18 imposed by the order are excessive, that the benefits
 19 to society are not commensurate with the costs of
 20 complying with the order and that society can be
 21 protected in a less costly manner. Upon a finding

22 that the requirements imposed by the order are
23 excessive, the court may modify or vacate the order
24 and may order the state to reimburse the person for
25 unreasonable costs incurred as a result of compliance
26 with the order."

H-3603E

27 9. By renumbering and correcting internal
28 references as necessary.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dieleman of Marion, for the remainder of the day, on request of Howell of Floyd.
Evans of Grundy moved the adoption of amendment H-3603A.

A non-record roll call was requested.

The ayes were 65, nays 19.

Amendment H-3603A was adopted.

(House File 719 pending at adjournment.)

OBJECTION TO PLACING UNDER UNFINISHED BUSINESS (House File 720)

Avenson of Fayette asked for unanimous consent that House File 720 be placed on the unfinished business calendar.

Objection was raised.

APPOINTMENT TO JOINT INTERN COMMITTEE

Avenson of Fayette, House Minority Leader, announced the appointment of Representative John Patchett of Johnson County to the Joint Intern Committee.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 29th day of March, 1979:

House Files 97, 182 and 462.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber Wednesday afternoon, March 28, 1979. Had I been present I would have voted "aye" on the following: House Files 315, 677 and 707.

LONERGAN of Boone

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 234 Ways and Means

Authorizing cities which have formed a municipal electric cooperative association pursuant to the provisions of chapter four hundred ninety-nine (499) of the Code for the purpose of obtaining electric energy for distribution to municipal members to secure electric power by individual or joint action and to form municipal power associations; defining their powers and responsibilities; and authorizing the issuance of bonds and notes, and requiring payment of an income tax equivalent by the associations.

SUBCOMMITTEE ASSIGNMENTS

Senate File 218

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Senate File 230

Judiciary and Law Enforcement: Lonergan, Chair; Corey and Arnould.

Senate File 321

County Government: Hanson of Delaware, Chair; Connolly and Johnson of Howard.

Senate File 333

Transportation: Egenes, Chair; Davitt, Lageschulte, McKean and Jay.

Senate File 347

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Senate File 361

Judiciary and Law Enforcement: Pelton, Chair; Smalley and Lonergan.

Senate File 373

Labor and Industrial Relations: Pope, Chair; Menke, Holt, Connors and Wells.

Senate File 422

County Government: Danker, Chair; Howell and Shull.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 230**

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Jochum, Connolly and Conlon.

AMENDMENTS FILED

H-3645	H.F. 720	Conlon of Muscatine
H-3646	S.F. 373	Kirkenslager of Des Moines
H-3647	H.F. 722	Miller of Buchanan
H-3648	H.F. 719	Pelton of Clinton
H-3649	H.F. 722	Miller of Buchanan
H-3650	H.F. 682	Bina of Scott
H-3651	H.F. 676	Anderson of Jasper
		Krewson of Polk
		Johnson of Woodbury
		Lonergan of Boone
		Binneboese of Plymouth
H-3652	H.F. 676	Husak of Tama
		Byerly of Polk
H-3653	H.F. 720	O'Kane of Woodbury
H-3654	H.F. 720	Halvorson of Webster
H-3655	H.F. 728	Van Maanen of Mahaska
		Daggett of Taylor

H—3656	H.F. 719	Perkins of Greene
H—3657	S.F. 388	Johnson of Linn
H—3658	H.F. 697	Johnson of Linn
H—3659	H.F. 701	Poffenberger of Dallas
		Husak of Tama
		Johnson of Linn
		De Groot of Lyon
		Cusack of Scott
H—3660	H.F. 722	Pavich of Pottawattamie
		Walter of Pottawattamie
H—3661	H.F. 702	Swearingen of Keokuk
		Diemer of Black Hawk
		Lura of Marshall
		Hoffmann of Muscatine
		Stromer of Hancock
		Mullins of Kossuth

On motion by Thompson of Polk the House adjourned at 4:08 p.m., until 10:00 a.m., Monday, April 2, 1979.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day—Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 2, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend William Temple pastor of the First Baptist Churches in Leon, Grand River and Corydon, Iowa.

The Journal of Thursday, March 29, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Mike Dehner, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Loneragan of Boone on request of Crabb of Crawford.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-one seventh grade students from Garwin Junior-Senior High School, Garwin, Iowa, accompanied by Mr. Craig By Evans of Grundy.

PETITION FILED

The following petition was received and placed on file:

By Gettings of Wapello, from twenty-nine constituents opposing an act relating to the use of diagnostic pharmaceutical agents by optometrists.

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 on March 28, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 11, a bill for an act to provide a procedure for dissolution of certain drainage and levee districts and transfer of jurisdiction and control over the improvements and rights-of-way of a district so dissolved to another overlying district without reclassification of the latter district.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 425, a bill for an act to repeal chapter five hundred three (503) of the Code.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 442, a bill for an act relating to the distribution of earnings of corporations which are cooperative associations.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 448, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 449, a bill for an act relating to extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday and Monday.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 450, a bill for an act establishing a mobile home dealer's license and providing a penalty.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 451, a bill for an act relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 455, a bill for an act relating to the serving of breakfast to children in certain public and nonpublic schools.

Also: That the Senate has on March 28, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 456, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 461, a bill for an act to legalize proceedings taken by the board of supervisors of Poweshiek county relating to the sale of certain properties.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 475, a bill for an act to legalize the proceedings of any county in the state which sold certain county property without offering the property for sale at a public auction.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 478, a bill for an act to legalize and validate the acts and agreements of north Iowa municipal electric cooperative association and its municipal members with allied power cooperative of Iowa and declaring said actions to have been legally taken.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 479, a bill for an act to legalize and validate the proceedings of the board of directors of southwest community college merged area.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 425, a bill for an act relating to chapter five hundred three (503) of the Code.

Read first time and **passed on file.**

Senate File 442, a bill for an act relating to the distribution of earnings of corporations which are cooperative associations.

Read first time and referred to committee on **state government.**

Senate File 448, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of financing projects for the use of a state of Iowa institution under the board of regents.

Read first time and referred to committee on **cities**.

Senate File 449, a bill for an act relating to extending the hours for the sale or dispensing of alcoholic liquor and beer on Sunday and Monday.

Read first time and referred to committee on **state government**.

Senate File 450, a bill for an act establishing licensing for mobile home dealers and travel trailer dealers and providing a penalty.

Read first time and referred to committee on **transportation**.

Senate File 451, a bill for an act relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency.

Read first time and referred to committee on **human resources**.

Senate File 456, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

Read first time and **passed on file**.

ADOPTION OF HOUSE RESOLUTION 22

Pursuant to House Rule 31, the Speaker announced that House Resolution 22, congratulating the Indianola indoor track team, filed on March 12, 1979 and found on page 885 of the House Journal, was adopted by unanimous consent.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 719**, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief and amendment H-3603B, lines 9 through 27 of page 1, found on page 1233 of the House Journal.

Perkins of Greene rose on a point of order that amendment H-3603B was not germane.

The Speaker ruled the point not well taken and amendment H-3603B germane.

Evans of Grundy moved the adoption of amendment H-3603B.

A non-record roll call was requested.

The ayes were 77, nays 3.

Amendment H-3603B was adopted.

The House resumed consideration of amendment H-3603C, lines 28 through 30 of page 1, found on page 1233 of the House Journal.

On motion by Evans of Grundy, amendment H-3603C was adopted.

The House resumed consideration of amendment H-3603D, lines 31 through 38 of page 1, found on page 1233 of the House Journal.

Perkins of Greene offered the following amendment H-3633, to amendment H-3603D, filed by him and moved its adoption:

H-3633

- 1 Amend amendment H-3603 to House File 719 as
- 2 follows:
- 3 1. Page 1, line 34, by striking the word
- 4 "paragraphs" and inserting in lieu thereof the
- 5 word "paragraph".
- 6 2. Page 1, line 35, by striking the word and
- 7 letter "and b".

Amendment H-3633 was adopted.

On motion by Evans of Grundy, amendment H-3603D, as amended, was adopted.

The House resumed consideration of amendment H-3603E, lines 39 through 50 of page 1 and lines 1 through 10 and 27 and 28 of

page 2, found on pages 1233 and 1234 of the House Journal.

Hullinger of Decatur offered the following amendment H—3637, to amendment H—3603E, filed by him:

H—3637

- 1 Amend amendment H—3603 to House File 719 as
- 2 follows:
- 3 1. Page 2, by inserting after line 10 the
- 4 following:
- 5 "8. Page 11, line 26, by inserting after the
- 6 word "sections" the words "on or before March 15,
- 7 1979".
- 8 2. By renumbering as necessary.

Evans of Grundy rose on a point of order that amendment H—3637 was not in order inasmuch as it amends the bill rather than amendment H—3603E.

The Speaker ruled the point well taken and amendment H—3637 not in order.

Evans of Grundy asked and received unanimous consent to suspend Rule 36.8 for consideration of amendment H—3672.

Evans of Grundy moved the adoption of amendment H—3603E.

Roll call was requested by Anderson of Jasper and Harbor of Mills.

Rule 80 was invoked.

On the question "Shall amendment H—3603E be adopted?"

The ayes were, 47:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Horn
Johnson, J.	Johnson, R.	Johnson, W.	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Pellett	Pelton
Poffenberger	Schneklath	Schroeder	Sherzan
Shull	Smalley	Swearingen	Thompson

Tofte	Tyrrell	Van Maanen	Welden
West	Woods	Mr. Speaker	

The nays were, 47:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Conlon	Connolly	Crawford
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hibbs	Hinkhouse	Howell
Hullinger	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Pope
Rapp	Ritsema	Shimanek	Spear
Walter	Wells	Welsh	

Absent or not voting, 6:

Connors	Hummel	Husak	Krewson
Lonergan	Stromer		

Amendment H—3603E lost.

(House File 719 pending at recess.)

IMMEDIATE MESSAGE

(House File 725)

Halvorson of Clayton asked and received unanimous consent to immediately message House File 725 to the Senate.

On motion by Halvorson of Clayton the House was recessed at 11:35 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

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 on April 2, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 476, a bill for an act to legalize the proceedings of the Davenport Community school district relating to the sale of certain property.

FRANK J. STORK, Secretary

QUORUM CALL

Roll call was requested by Kirkenslager of Des Moines and West of Marshall to determine that a quorum was present.

Present: 91

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	Danker	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

Absent: 9

Connors	Davitt	Gettings	Jay
Jesse	Jochum	Lonerган	O'Kane
Woods			

BUSINESS PENDING

The House resumed consideration of **House File 719**, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief, and amendment H-3603F, lines 11 through 26 of page 2, found on page 1234 of the House Journal.

Evans of Grundy offered amendment H-3667, to amendment H-3603F, filed by him from the floor. Division was requested as follows:

H-3667

- 1 Amend amendment H-3603 to House File 719 as
- 2 follows:

H-3667A

- 3 1. Page 2, lines 15 and 16 by striking the words
- 4 "two years" and inserting in lieu thereof the words
- 5 "six months".

H-3667B

- 6 2. Page 2, line 24, by inserting after the word
- 7 "and" the words ", subject to an appropriation by
- 8 and general assembly for that purpose,".

On motion by Evans of Grundy, amendment H-3667A, to amendment H-3603F, was adopted.

Pelton of Clinton asked and received unanimous consent to defer action on amendment H-3667B for the consideration of amendment H-3648.

Pelton of Clinton offered the following amendment H-3648, to amendment H-3603F, filed by him and moved its adoption:

H-3648

- 1 Amend amendment H-3603, to House File 719, as
- 2 follows:
- 3 1. Page 2, line 23, by striking the word "order"
- 4 and inserting in lieu thereof the word "order."
- 5 2. Page 2, by striking lines 24 through 26.

A non-record roll call was requested.

The ayes were 30, nays 54.

Amendment H-3648 lost.

The House resumed consideration of amendment H-3667B, to amendment H-3603F.

On motion by Evans of Grundy, amendment H—3667B was adopted.

On motion by Evans of Grundy, amendment H—3603F, as amended, was adopted.

Evans of Grundy offered the following amendment H—3591 filed by Evans, et al.:

H—3591

- 1 Amend House File 719 as follows:
- 2 1. Page 3, line 5, by striking the word "part"
- 3 and inserting in lieu thereof the word "Act".
- 4 2. Page 3, line 13, by striking the words "the
- 5 provisions of this part" and inserting in lieu thereof
- 6 the words "this Act".
- 7 3. Page 4, line 11, by striking the word "part"
- 8 and inserting in lieu thereof the word "Act".
- 9 4. Page 6, lines 23 and 24, by striking the words
- 10 "the provisions of this part" and inserting in lieu
- 11 thereof the words "this Act".
- 12 5. Page 6, lines 29 and 30, by striking the words
- 13 "the provisions of this part" and inserting in lieu
- 14 thereof the words "this Act".
- 15 6. Page 7, line 31, by striking the word "part"
- 16 and inserting in lieu thereof the word "Act".
- 17 7. Page 8, line 2, by striking the word "of" and
- 18 inserting in lieu thereof the word "or".
- 19 8. Page 9, line 1, by striking the word "part"
- 20 and inserting in lieu thereof the word "Act".
- 21 9. Page 9, line 2, by striking the word "part"
- 22 and inserting in lieu thereof the word "Act".
- 23 10. Page 9, line 2, by inserting before the word
- 24 "subsection" the word "if".
- 25 11. Page 10, line 22, by striking the word "When"
- 26 and inserting in lieu thereof the words
- 27 "Notwithstanding any other provisions of this Act,
- 28 when".

Hullinger of Decatur offered the following amendment H—3632, to amendment H—3591, filed by him and moved its adoption:

H—3632

- 1 Amend H—3591 to House File 719 as follows:
- 2 1. Page 1, by inserting after line 1 the
- 3 following:
- 4 "1. Page 1, line 2, by striking the word and

- 5 number "ten (10)" and inserting in lieu thereof
6 the word and number "eleven (11)".
7 2. By renumbering as necessary.

Amendment H—3632 was adopted.

On motion by Evans of Grundy, amendment H—3591, as amended, was adopted.

Halvorson of Clayton asked for unanimous consent to suspend the rules for the consideration of amendment H—3669.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended for the consideration of amendment H—3669.

A non-record roll call was requested.

The ayes were 64, nays 18.

The motion prevailed.

Hullinger of Decatur offered amendment H—3669 filed from the floor by Hullinger, Evans, Van Maanen and Davitt and requested division as follows:

H—3669

- 1 Amend House File 719 as follows:

H—3669A

- 2 1. Page 5, by inserting after line 1 the follow-
3 ing subsection:
4 "3. A person who produces or disposes of not
5 more than two hundred twenty pounds of hazardous
6 waste in any one month period or any retailer other
7 than a retailer of waste oil shall be exempt from
8 the notification requirements of this Act."

H—3669B

- 9 2. Page 11, by inserting after line 21 the fol-
10 lowing new section:
11 "Sec. . **NEW SECTION. AGRICULTURAL CHEMICALS.**
12 A person using or disposing of federally approved

13 agricultural chemicals or the empty containers
 14 thereof shall not be in violation of this Act by
 15 reason of such use of disposal provided that the
 16 person:
 17 1. Applies or disposes of the chemicals in
 18 accordance with the manufacturer's instructions,
 19 and
 20 2. Triple rinses each chemical container after
 21 it has been emptied and uses the rinsate as make-
 22 up water in a tank-mix and applies the mix to crop-
 23 land at an application rate that does not exceed
 24 the manufacturer's instructions."

Hullinger of Decatur moved the adoption of amendment
 H—3669A.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—3669A be adopted?"

The ayes were, 59:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Corey
Crabb	Crawford	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Hall	Hansen, I.
Hanson, D.	Harbor	Hinkhouse	Hoffmann
Holt	Hullinger	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Oxley	Pellett
Pelton	Poffenberger	Pope	Schneklloth
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 34:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cannolly	Connors	Cusack	Groth
Halvorson, R.A.	Halvorson, R.N.	Hibbs	Horn
Howell	Jay	Jesse	Jochum
Lloyd-Jones	Mullins	Norland	O'Kane
Pavich	Perkins	Rapp	Ritsema
Sherzan	Tofte	Walter	Wells
Welsh	Woods		

Absent or not voting, 7:

Avenson
Patchett

Daggett
Schroeder

Egenes
Smalley

Lonergan

Amendment H—3669A was adopted.

On motion by Hullinger of Decatur, amendment H—3669B was adopted.

Evans of Grundy asked and received unanimous consent to withdraw amendment H—3595 (to page 8) filed by him on March 27, 1979.

Perkins of Greene offered the following amendment H—3656 filed by him:

H—3656

- 1 Amend House File 719 as follows:
- 2 1. Page 10, by striking lines 22 through 35.
- 3 2. Page 11; by striking lines 1 through 21.

Groth of Buena Vista offered the following amendment H—3678, to amendment H—3656, filed by him from the floor and moved its adoption:

H—3678

- 1 Amend the amendment H—3656, to House File 719,
- 2 as follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 "1. Page 10, by inserting after line 21 the
- 6 following:
- 7 "4. If a waste is placed in a disposal site in
- 8 accordance with the laws existing at the time of
- 9 placement and is subsequently found to pose a danger
- 10 to human health or the environment, the executive
- 11 director shall conduct a study which shall include
- 12 but not be limited to an analysis of the wastes
- 13 disposed, an indication of the person responsible
- 14 for disposing the waste at the site, a reasonable
- 15 estimate of the cost of treating, neutralizing or
- 16 removing the waste, and a statement as to the
- 17 financial burden which the cost of treating,
- 18 neutralizing or removing the waste would place on
- 19 the person responsible for disposing the waste.

20 If the person responsible for disposing the waste
21 cannot be located or has since been declared defunct,
22 the executive director shall so indicate. The
23 executive director shall forward the findings of
24 the study to the governor, who shall make a final
25 recommendation, including state funds to be
26 appropriated, if any, and the parties involved
27 and degree of responsibility, to the General Assembly
28 within thirty days, or immediately if the waste has
29 been disposed in a manner which poses an imminent
30 danger to human health or the environment." "

A non-record roll call was requested.

The ayes were 32, nays 56.

Amendment H—3678 lost.

Perkins of Greene offered the following amendment H—3677, to amendment H—3656, filed by him from the floor and moved its adoption:

H—3677

1 Amend amendment H—3656, to page 10 of House File
2 719, as follows:
3 1. Page 1, by striking lines 2 and 3 and insert-
4 ing in lieu thereof the following:
5 "1. Page 11, by striking lines 1 through 21 and
6 inserting in lieu thereof the following: "removal
7 or elimination of the threat." "

A non-record roll call was requested.

The ayes were 35, nays 54.

Amendment H—3677 lost.

Perkins of Greene asked and received unanimous consent to withdraw amendment H—3656 (to page 10).

Arnould of Scott asked and received unanimous consent to withdraw amendment H—3608 (to page 10) filed by him on March 27, 1979.

Ritsema of Sioux offered the following amendment H—3592 filed by him and moved its adoption:

H-3592

- 1 Amend House File 719 as follows:
- 2 1. Page 11, line 4, by inserting after the word
- 3 "state" the words "or a governmental subdivision".

Amendment H-3592 was adopted.

Pursuant to the previous suspension of rules by unanimous consent, Hullinger of Decatur offered the following amendment H-3672 filed by him from the floor and moved its adoption:

H-3672

- 1 Amend House File 719 as follows:
- 2 1. Page 11, line 26, by inserting after the
- 3 word "sections" the words "on or before March 15,
- 4 1979".

Amendment H-3672 was adopted.

Howell of Floyd offered the following amendment H-3612 filed by him and moved its adoption:

H-3612

- 1 Amend House File 719 as follows:
- 2 1. Page 12, by striking lines 11 and 12.

Amendment H-3612 was adopted.

Shimanek of Jones moved to reconsider the vote by which amendment H-3603E failed to be adopted by the House on April 2, 1979.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 52, nays 46.

The motion prevailed and the House reconsidered amendment H-3603E.

Schroeder of Pottawattamie offered the following amendment H-3685, to amendment H-3603E, filed from the floor by Schroeder, Evans and Shimanek and moved its adoption:

H-3685

- 1 Amend amendment H-3603E, to page 2 of House File
- 2 719, as follows:
- 3 1. Page 1, by striking lines 42 through 46 and
- 4 inserting in lieu thereof the following: "A criminal
- 5 or civil action shall not be brought under this Act
- 6 for improper disposal or treatment of hazardous waste
- 7 until such time as a proper disposal area or treatment
- 8 is both reasonably available to the person disposing
- 9 of hazardous waste and approved for hazardous waste
- 10 disposal. This section does not limit or diminish the".

Roll call was requested by Danker of Pottawattamie and Harbor, of Mills.

On the question "Shall amendment H-3685, to amendment H-3603E, be adopted?"

The ayes were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Maulsby	McKean
Menke	Oxley	Pellet	Pelton
Poffenberger	Pope	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 46:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Conlon	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lura	Miller

Mullins	Norland	O'Kane	Patchett
Pavich	Perkins	Rapp	Ritsema
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 2:

Anderson, R. Lonergan

Amendment H—3685 was adopted.

Evans of Grundy moved the adoption of amendment H—3603E, as amended.

Roll call was requested by Anderson of Jasper and Perkins of Greene.

Rule 80 was invoked.

On the question "Shall amendment H—3603E, as amended, be adopted?"

The ayes were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Evans	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Oxley	Pellett
Pelton	Poffenberger	Pope	Schneklath
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Conlon	Connolly
Cusack	Davitt	Dieleman	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lura	Miller	Mullins

Norland	O'Kane	Patchett	Pavich
Perkins	Rapp	Ritsema	Sherzan
Spear	Walter	Wells	Welsh
Woods			

Absent or not voting, 2:

Connors	Lonergan
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Amendment H — 3603E, as amended, lost.

Ritsema 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. 719)

The ayes were, 86:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Davitt
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 10:

Anderson, J.	Branstad	Daggett	Danker
De Groot	Johnson, W.	Pellett	Schneklath
Schroeder	Van Maanen		

Absent or not voting, 4:

Connors	Lageschulte	Lonergan	Sherzan
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

RULES SUSPENDED FOR IMMEDIATE CONSIDERATION
(House File 693)

Halvorson of Clayton moved that the rules be suspended for the immediate consideration of House File 693.

Roll call was requested by Harbor of Mills and Johnson of Howard.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider House File 693?"

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 4:

Connors

Loneragan

Norland

Sherzan

The motion prevailed.

UNFINISHED BUSINESS

House File 693, a bill for an act providing for the deduction of the federal income tax accrued for the tax year in computing the state individual and corporate income tax for that tax year, was taken up for consideration.

Conlon of Muscatine offered the following amendment H—3626 filed by him:

H—3626

- 1 Amend House File 693 as follows:
- 2 1. Page 1, line 16, by striking the figure "1980"
- 3 and inserting in lieu thereof the figure "1979".
- 4 2. Page 1, line 17, by striking the figure "1980"
- 5 and inserting in lieu thereof the figure "1979".
- 6 3. Page 1, line 20, by striking the figure "1980"
- 7 and inserting in lieu thereof the figure "1979".
- 8 4. Page 1, by inserting after line 21 the
- 9 following:
- 10 "However for the first tax year beginning on or
- 11 after January 1, 1979, and ending prior to December
- 12 31, 1980, in lieu of the deductions and adjustments
- 13 specified in paragraph b, taxpayers shall deduct the
- 14 larger of (1) the additional federal income taxes
- 15 paid during this tax year for tax years beginning
- 16 prior to January 1, 1979, adjusted by any federal
- 17 income tax refunds or credits received in this tax
- 18 year on federal income taxes paid for tax years
- 19 beginning prior to January 1, 1979, or (2) the accrued
- 20 federal income tax liability for this tax year adjusted
- 21 by any additional federal income taxes paid or refunds
- 22 or credits received in this tax year on federal income
- 23 taxes paid for tax years beginning prior to January
- 24 1, 1978."
- 25 5. Page 1, line 34, by striking the figure "1980"
- 26 and inserting in lieu thereof the figure "1979".
- 27 6. Page 1, line 35, by striking the figure "1980"
- 28 and inserting in lieu thereof the figure "1979".
- 29 7. Page 2, line 3, by striking the figure "1980"
- 30 and inserting in lieu thereof the figure "1979".
- 31 8. Page 2, by inserting after line 4 the following:

32 "However, for the first tax year beginning on or
 33 after January 1, 1979, and ending prior to December
 34 31, 1980, in lieu of the deductions and adjustments
 35 related to federal income taxes specified in this
 36 subsection, taxpayers shall deduct the larger of (1)
 37 the additional federal income taxes paid during this
 38 tax year for tax years beginning prior to January
 39 1, 1979, adjusted by any federal income tax refunds
 40 or credits received in this tax year on federal income
 41 taxes paid for tax years beginning prior to January
 42 1, 1979, or (2) the accrued federal income tax
 43 liability for this tax year adjusted by any additional
 44 federal income taxes paid or refunds or credits
 45 received in this tax year on federal income taxes
 46 paid for tax years beginning prior to January 1,
 47 1978."

48 9. Page 2, line 5, by striking the figure "1980"
 49 and inserting in lieu thereof the figure "1979".

50 10. Page 2, line 6, by inserting after the word

Page 2

1 "date" the words "and to that extent this Act is
 2 retroactive".

3 11. Amend the title, line 3, by inserting after
 4 the word "year" the words "and making the provisions
 5 retroactive".

Halvorson of Clayton moved that the rules be suspended for the consideration of the following amendment H—3676, to amendment H—3626:

H—3676

1 Amend the Conlon amendment, H-3626, to House File
 2 693 as follows:

3 1. Page 1, by striking lines 2 through 50 and
 4 inserting in lieu thereof the following:

5 "1. By striking everything after the enacting
 6 clause and inserting in lieu thereof the following:
 7 "Section 1. Except as otherwise provided in this
 8 Act, each individual shall be treated as having made
 9 an additional payment against the tax imposed by
 10 division two (II) of chapter four hundred twenty-two
 11 (422) of the Code, for a tax year beginning in 1978
 12 in an amount as determined pursuant to section two
 13 (2) of this Act.

14 Sec. 2. The amount treated as paid by the taxpayer
 15 for the tax year beginning in 1978 by reason of this
 16 Act shall be as follows:

17 1. The amount of the taxpayer's tax liability

18 to the extent the tax liability does not exceed fifteen
19 dollars.

20 2. Fifteen dollars, to the extent the taxpayer's
21 tax liability is greater than fifteen dollars but
22 less than one hundred fifty dollars.

23 3. Ten percent of the taxpayer's liability to
24 the extent the tax liability is one hundred fifty
25 dollars or more, but in no event shall the tax payment
26 exceed two hundred fifty dollars.

27 Sec. 3. For purposes of this Act, the tax liability
28 for the tax year beginning in 1978 shall be the tax
29 imposed by division two (II) of chapter four hundred
30 twenty-two (422) of the Code, for that year, reduced
31 by the sum of the credits allowable under section
32 four hundred twenty-two point twelve (422.12) of the
33 Code for that year. A husband and wife shall be
34 considered one taxpayer and the amount of the rebate
35 shall be determined on the basis of the combined tax
36 liability of the husband and wife.

37 Sec. 4. The payment provided by this Act shall
38 be deemed made on the last date prescribed by law
39 for the filing of the returns of tax in section four
40 hundred twenty-two point twenty-one (422.21) of the
41 Code for the tax year beginning in 1978, including
42 any extensions thereof. A payment shall not be deemed
43 to have been made unless the return is filed on or
44 before the due date or the extended due date.

45 Sec. 5. A payment of tax deemed made under this
46 Act by an individual for a tax year beginning in 1978,
47 shall be considered an overpayment and shall be
48 credited by the department against any tax due under
49 chapter four hundred twenty-two (422) of the Code
50 from the person who made the overpayment or, if no

Page 2

1 such tax is due, the amount shall be refunded by the
2 department. Any payment of tax of one dollar or less
3 shall be subject to the provisions for refunding
4 contained in section four hundred twenty-two point
5 sixteen (422.16), subsection eleven (11), paragraph
6 e of the Code.

7 Sec. 6. A payment of tax deemed made under this
8 Act by an individual for a tax year beginning in 1978,
9 which is to be refunded under section five (5) of
10 this Act shall be refunded to the taxpayer. If the
11 refund is not made within one hundred twenty days
12 from the date of payment provided under section four
13 (4) of this Act, interest shall be paid at the rate
14 of three-fourths of one percent per month counting
15 each fraction of a month as an entire month. Interest
16 shall not be paid on returns improperly and incorrectly

17 prepared.

18 Sec. 7. The provisions of this Act shall not be
19 in effect after June 30, 1980.

20 Sec. 8. The director of revenue may adopt rules
21 pursuant to chapter seventeen A (17A) of the Code
22 to carry out the provisions of this Act.

23 Sec. 9. There is appropriated, out of any funds
24 in the general fund of the state not otherwise
25 appropriated, a sum sufficient to carry out the
26 provisions of this Act.

27 Sec. 10. The provisions of this Act shall not
28 be codified in the permanent Code but shall be printed
29 in the session laws only.

30 Sec. 11. This Act, being deemed of immediate
31 importance, shall take effect from and after its
32 publication in the Marshalltown Times-Republican,
33 a newspaper published in Marshalltown, Iowa, and in
34 the Muscatine Journal, a newspaper published in
35 Muscatine, Iowa."

36 2. Page 2, by striking lines 1 through 5.

37 3. Amend the title by striking everything after
38 the word "Act" and inserting in lieu thereof the words
39 "providing for an individual income tax rebate for
40 1978 taxes and making an appropriation." "

Roll call was requested by Jesse of Polk and Patchett of Johnson.

Rule 80 was invoked.

On the question "Shall the rules be suspended for the consideration of amendment H—3676, to amendment H—3626?"

The ayes were, 56:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 4:

Connors	Lonergan	Norland	Sherzan
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The motion prevailed.

West of Marshall offered amendment H—3676, to amendment H—3626, filed from the floor by West, Thompson, Halvorson of Clayton, Harbor, Hansen of O'Brien, Clark of Lee, Schroeder, Crabb, Pope, Hanson of Delaware, Smalley, Swearingen, Ritsema, Holt, Kirkenslager, Stromer, Van Maanen, Pelton, De Groot, Danker, Hoffmann, Corey, Schneklath, Johnson of Woodbury, Bennett, Lorenzen, Conlon, Hibbs, Tyrrell, Johnson of Linn, Mullins, Lura, Daggett, Pellett, Shimanek, Branstad, Evans, Lind, Anderson of Audubon, Diemer, Shull, Krewson, Welden, Menke, Clark of Cerro Gordo, Larsen, Maulsby and McKean.

Avenson of Fayette moved to defer action on amendment H—3676 in order to debate amendment H—3691, to amendment H—3626.

Halvorson of Clayton moved the previous question on House File 693 excluding debate.

A non-record roll call was requested.

The ayes were 56, nays 42.

The motion prevailed.

(House File 693 and the motion to defer amendment H—3676 pending at adjournment.)

IMMEDIATE MESSAGE
(House File 719)

Evans of Grundy asked and received unanimous consent to immediately message House File 719 to the Senate.

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 on April 2, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 447, a bill for an act relating to pipelines by establishing construction standards to protect soil conservation.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 461, a bill for an act to legalize proceedings taken by the board of supervisors of Poweshiek county relating to the sale of certain properties.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 475, a bill for an act to legalize the proceeding of any county in the state which sold certain county property without offering the property for sale at a public auction.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 476, a bill for an act to legalize the proceedings of the Davenport community school district relating to the sale of certain property.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 478, a bill for an act to legalize and validate the acts and agreements of north Iowa municipal electric cooperative association and its municipal members with allied power cooperative of Iowa and declaring said actions to have been legally taken.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 479, a bill for an act to legalize and validate the proceedings of the board of directors of southwestern community college merged area (merged area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under chapter two hundred eighty A (280A) of the Code.

Read first time and referred to committee on **judiciary and law enforcement**.

SPONSOR ADDED
(Amendment H—3593)

De Groot of Lyon requested to be added as a sponsor of amendment H—3593 to Senate File 388.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate File 70, an act to establish a senior judge system.

Also: That on April 2, 1979, the Governor approved and transmitted to the Secretary of State the following bills:

House File 97, an act relating to the time period for maintaining proof of motor vehicle financial responsibility.

House File 182, an act relating to infectious and contagious diseases in swine.

House File 462, an act relating to valuation standards and nonforfeiture provisions for policies of insurance subject to Chapters Five Hundred Eight (508) and Five Hundred Twelve (512) of the Code.

COMMUNICATION FROM SECRETARY OF STATE

March 29, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 284, was published in The Dayton Review, Dayton, Iowa on March 28, 1979, and in the Fort Dodge Messenger, Fort Dodge, Iowa on March 27, 1979.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

PROOF OF PUBLICATIONS
(House File 714)

Published copy of House File 714 and verified proof of publication of said bill in The Bellevue Herald-Leader, Inc., a newspaper printed and published in Bellevue, Jackson County, Iowa, on March 29, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(Senate File 461)

Published copy of Senate File 461 and verified proof of publication of said bill in the Grinnell Herald-Register, a newspaper printed and published in Grinnell, Poweshiek County, Iowa, on March 22, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(Senate File 476)

Published copy of Senate File 476 and verified proof of publication of said bill in The Quad-City Times, a newspaper published and printed in Davenport, Scott County, Iowa, on March 30, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(Senate File 478)

Published copy of Senate File 478 and verified proof of publication of said bill in The Grundy Register, a newspaper printed and

published in Grundy Center, Grundy County, Iowa, on February 8, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(Senate File 479)

Published copy of Senate File 479 and verified proof of publication of said bill in the Creston News Advertiser, a newspaper published and printed in Creston, Union County, Iowa, on February 7, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMUNICATION FROM THE IOWA BEER AND LIQUOR CONTROL DEPARTMENT

The Annual Report of the Iowa Beer and Liquor Control Department has been received and is on file in the office of the Chief Clerk pursuant to Chapter 123.55, Code of Iowa.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 10:00 a.m., March 29, 1979

Convened: 10:15 a.m.

Adjourned: 11:00 a.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Johnson of Howard, Lloyd-Jones, Lonergan, Maulsby, Pelton, Smalley and Walter.

Absent: Arnould (arrived at 10:30 a.m.), Jesse (arrived at 10:30 a.m.), Rapp and Welsh (arrived at 10:20 a.m.).

Excused: Doyle.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act appropriating funds to the office for planning and programming to match economic development federal funds.

Recommended **Do Pass**.

Committee Bill, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research.

Recommended **Do Pass**.

COMMITTEE ON CITIES

Senate File 75, a bill for an act relating to veteran's preference for public employment.

Recommended **Amend and Do Pass**.

H-3662

- 1 Amend Senate File 75, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section nineteen A point nine (19A.9),
- 6 subsection twenty-one (21), Code 1979, is amended
- 7 to read as follows:
- 8 21. For veterans preference through a provision
- 9 that honorably separated veterans who served on active
- 10 duty in the armed forces of the United States in any
- 11 war, campaign or expedition, for which a campaign
- 12 badge or service medal has been authorized by the
- 13 government of the United States, shall have five
- 14 points added to the grade or score attained in
- 15 qualifying examinations for appointment entrance
- 16 appointments to jobs.
- 17 Veterans who have a service-connected disability

- 18 or who are receiving compensation, disability benefits
 19 or pension under laws administered by the veterans
 20 administration, shall have ten points added to the
 21 grades attained in qualifying entrance examinations.
 22 A veteran who has been awarded the Purple Heart for
 23 disabilities incurred in action shall be considered
 24 to have a service-connected disability.”
- 25 2. Page 1, by striking lines 16 through 20 and
 26 inserting in lieu thereof the following: “of this
 27 state shall be entitled to preference in appointment;
 28 for employment, and promotion over other applicants
 29 of no greater qualifications. The”.”
- 30 3. Page 1, line 21, by striking the words “and
 31 employment”.
- 32 4. Page 2, by striking lines 18 through 20 and
 33 inserting in lieu thereof the following: “determining
 34 factor in passing or failing.”
- 35 5. By renumbering the sections to conform to this
 36 amendment.

Senate File 282, a bill for an act to amend city finance laws relating to the establishment of trust and agency funds, the establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids.

Recommended Amend and Do Pass.

H—3665

- 1 Amend Senate File 282 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 “manager” the words “or city administrator”.

COMMITTEE ON COMMERCE

Senate File 286, a bill for an act relating to the cancellation of property interests granted for pipeline or electric transmission line purposes.

Recommended Do Pass.

Fiscal note is not required.

Senate File 382, a bill for an act relating to the continuing education of insurance agents.

Recommended Amend and Do Pass.

H—3686

- 1 Amend Senate File 382 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 1, line 6, by inserting after the word
4 "Code" the words ", except those agents authorized
5 to sell only credit life and credit accident and
6 health insurance".

7 2. Page 1, lines 14 and 15, by striking the
8 figures and words "151 and five hundred seven B
9 (507B)" and inserting in lieu thereof the figures
10 and words "151, five hundred seven B (507B) and
11 five hundred twenty-two (522)".

12 3. Page 1, line 27, by striking the figures
13 and words "151 and five hundred seven B
14 (507B)" and inserting in lieu thereof the figures
15 and words "151, five hundred seven B (507B) and
16 five hundred twenty-two (522)".

Fiscal note is not required.

COMMITTEE ON COUNTY GOVERNMENT

Senate File 159, a bill for an act making statutory changes which affect the duties, responsibilities and procedures of county treasurers with regard to tax sales, collection of taxes and fees, tax levies, maintenance of records and disposition of county funds.

Recommended **Do Pass**.

Senate File 98, a bill for an act to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

Recommended **Do Pass**.

COMMITTEE ON EDUCATION

Senate File 172, a bill for an act relating to the retirement of teachers and administrators under the continuing contract law.

Recommended **Do Pass**.

Senate File 185, a bill for an act relating to the distribution of interest of permanent school fund.

Recommended **Do Pass**.

Senate File 247, a bill for an act relating to policies of boards of directors of school districts concerning the residence of employees.

Recommended **Do Pass**.

COMMITTEE ON HUMAN RESOURCES

Senate File 114, a bill for an act to delete from the statute governing county public hospitals the requirement that admissions to the psychiatric department of certain county hospitals be limited to sixty days' duration.

Recommended Do Pass.

Fiscal note is required.

Senate File 432, a bill for an act relating to licensing and regulation of child foster care facilities, and prescribing penalties.

Recommended Amend and Do Pass.

H-3673

- 1 Amend Senate File 432 as follows:
- 2 1. Page 1, by inserting after line 23 the
- 3 following:
- 4 "c. Care furnished by a private boarding school
- 5 subject to approval by the state board of public in-
- 6 struction pursuant to section two hundred fifty-seven
- 7 point twenty-five (257.25) of the Code.
- 8 d. Child day care furnished by a licensed child
- 9 care center or a registered or nonregistered child
- 10 day care facility under chapter two hundred thirty-
- 11 seven A (237A) of the Code."
- 12 2. Page 3, line 34, by inserting after the word
- 13 "However," the words "an individual providing child
- 14 foster care for a period of five days or less not
- 15 more than four times in one calendar year,".

Fiscal note is required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 4, a bill for an act relating to theft of library materials and providing a penalty.

Recommended Do Pass.

Fiscal note is not required.

Senate File 29, a bill for an act relating to the enforcement of foreign judgments.

Recommended Do Pass.

Fiscal note is not required.

Senate File 218, a bill for an act to legalize the proceedings of the city of Alexander, Iowa in connection with the letting of certain contracts.

Recommended Do Pass.

Fiscal note is not required.

Senate File 235, a bill for an act to increase the maximum allowable value of merchandise prizes in a raffle conducted by a fair or qualified organization.

Recommended Amend and Do Pass.

H-3663

- 1 Amend Senate File 235 as follows:
- 2 1. Page 1, by inserting after line 25 the
- 3 following:
- 4 "Sec. . . . Section ninety-nine B point seven
- 5 (99B.7), Code 1979, is amended by adding the following
- 6 new subsection:
- 7 NEW SUBSECTION. A game of punchboard, pull-tab,
- 8 or pushcard may be conducted by a fraternal
- 9 organization within its premises if the fraternal
- 10 organization is a qualified organization."
- 11 2. Amend the title, line 3, by inserting after
- 12 the word "organization" the words "and to allow a
- 13 fraternal organization to conduct games of punchboard,
- 14 pull-tab or pushcard within its premises".
- 15 3. By renumbering sections to conform to this
- 16 amendment.

Fiscal note is not required.

Senate File 230, a bill for an act relating to the appointment of interpreters for persons with speech or hearing impairments.

Recommended Do Pass.

Fiscal note is required.

Senate File 294, a bill for an act to provide uniform procedures for certifying questions of law.

Recommended Do Pass.

Fiscal note is not required.

Senate File 347, a bill for an act to legalize proceedings taken by the board of supervisors of Lucas county relating to the sale of certain properties.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON NATURAL RESOURCES

Senate File 89, a bill for an act relating to borrow pits.

Recommended **Amend and Do Pass**.

H—3668

- 1 Amend Senate File 89, as passed and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 1, line 10, by striking the words "by
- 4 agreement with the landowner" and inserting in lieu
- 5 thereof the words "**by agreement with the landowner**".
- 6 2. Page 1, lines 14 and 15, by striking the words
- 7 "**for sidehill borrows, or**".
- 8 3. Page 1, line 18, by inserting after the word
- 9 "**sand,**" the word "**loess**".
- 10 4. Page 1, line 18, by inserting after the word
- 11 "**clays,**" the following: "**When the borrow pit is**
- 12 **acquired by easement, the restoration method shall**
- 13 **be determined by agreement with the landowner.**"

COMMITTEE ON STATE GOVERNMENT

Senate File 88, a bill for an act making a technical amendment to section one hundred fifty-six point nine (156.9), subsection three (3) of the Code, for the purpose of continuing the law as it existed prior to amendment in 1978.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 93, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council.

Recommended **Amend and Do Pass**.

H—3664

- 1 Amend Senate File 149 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 16, by striking the words "Iowa
- 4 highway safety patrol" and inserting in lieu thereof
- 5 the words "department of public safety".

Fiscal note is required.

Senate File 183, a bill for an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON TRANSPORTATION

Senate File 280, a bill for an act to provide a uniform definition of a farm-to-market road system.

Recommended Do Pass.

AMENDMENTS FILED

H-3666	H.F. 705	Pelton of Clinton
H-3670	S.F. 230	Conlon of Muscatine
H-3671	S.F. 230	Miller of Buchanan
H-3674	H.F. 653	Jochum of Dubuque
		Patchett of Johnson
H-3675	H.F. 653	Jochum of Dubuque
		Patchett of Johnson
H-3679	S.F. 75	Spear of Lee
H-3680	H.F. 686	Johnson of Linn
H-3681	H.F. 686	Johnson of Linn
H-3682	S.F. 456	Brandt of Black Hawk
H-3683	S.F. 456	Lura of Marshall
		Bruner of Story
H-3684	H.F. 701	Spear of Lee
H-3687	H.F. 731	Doyle of Woodbury
H-3688	S.F. 93	Hinkhouse of Cedar
H-3689	H.F. 560	Tyrrell of Iowa
H-3690	H.F. 693	Norland of Worth
		Anderson of Jasper
		Doyle of Woodbury
		Chiodo of Polk
		Connors of Polk
		Jochum of Dubuque
		Welsh of Dubuque
		Husak of Tama
		Wells of Linn
		Connolly of Dubuque
		Horn of Linn
		Avenson of Fayette
		Davitt of Warren
		Cochran of Webster
		Jesse of Polk
		Bruner of Story
		Rapp of Black Hawk
		Miller of Buchanan
		Cusack of Scott
		Pavich of Pottawattamie
		Halvorson of Webster

Byerly of Polk		Woods of Polk
Perkins of Greene		Hullinger of Decatur
O'Kane of Woodbury		Brandt of Black Hawk
Oxley of Linn		Howell of Floyd
Groth of Buena Vista		Dieleman of Marion
Spear of Lee		Hinkhouse of Cedar
Binneboese of Plymouth		Patchett of Johnson
Arnould of Scott		Bina of Scott
Gettings of Wapello		Walter of Pottawattamie
Sherzan of Polk		Lloyd-Jones of Johnson
Jay of Appanoose		Hall of Linn
H—3691	H.F. 693	Norland of Worth
Avenson of Fayette		Davitt of Warren
Anderson of Jasper		Cochran of Webster
Doyle of Woodbury		Chiodo of Polk
Jesse of Polk		Connors of Polk
Rapp of Black Hawk		Bruner of Story
Jochum of Dubuque		Welsh of Dubuque
Howell of Floyd		Groth of Buena Vista
Dieleman of Marion		Spear of Lee
Hinkhouse of Cedar		Binneboese of Plymouth
Patchett of Johnson		Arnould of Scott
Bina of Scott		Gettings of Wapello
Walter of Pottawattamie		Sherzan of Polk
Lloyd-Jones of Johnson		Cusack of Scott
Miller of Buchanan		Husak of Tama
Pavich of Pottawattamie		Wells of Linn
Connolly of Dubuque		Halvorson of Webster
Horn of Linn		Hullinger of Decatur
O'Kane of Woodbury		Brandt of Black Hawk
Oxley of Linn		Jay of Appanoose
Hall of Linn		
H—3692	H.F. 693	Horn of Linn
H—3693	H.F. 693	Arnould of Scott
H—3694	H.F. 693	Rapp of Black Hawk
H—3695	H.F. 721	Arnould of Scott
H—3696	H.F. 701	Krewson of Polk
		Cusack of Scott
H—3697	H.F. 699	Lloyd-Jones of Johnson
H—3698	H.F. 705	Brandt of Black Hawk
H—3699	H.F. 701	Husak of Tama
H—3700	H.F. 728	Smalley of Polk
		Tyrrell of Iowa

H—3701	H.F. 730	Welden of Hardin
H—3702	H.F. 701	Spear of Lee
H—3703	H.F. 701	Krewson of Polk
		Clark of Cerro Gordo
		Cusack of Scott
		De Groot of Lyon
		Lonergan of Boone
		Poffenberger of Dallas

On motion by Halvorson of Clayton the House adjourned at 5:58 p.m., until 10:00 a.m., Tuesday, April 3, 1979.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day — Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 3, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Father John I. Kilby, pastor of the Grace Episcopal Church, Clinton, Iowa.

The Journal of Monday, April 2, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ronald Shirk, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Loneragan of Boone, for an indefinite period, on request of Crabb of Crawford; Harbor of Mills on request of Schroeder of Pottawattamie.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifty eighth grade students from Glidden Ralston Junior-Senior High School, Glidden, Iowa, accompanied by Merle McCrea and Marv Wood. By Perkins of Greene.

Thirty-five fifth grade students from Colorado Elementary School, Muscatine, Iowa, accompanied by Phyllis Knoche. By Hoffmann of Muscatine.

Seventeen ninth grade students from Welch Junior High School, Ames, Iowa, accompanied by Mae Kirk. By Crawford of Story.

PETITION FILED

The following petition was received and placed on file:

By Corey of Louisa, from Southeast Iowa Community Action Organization, Inc. favoring House File 343 which insures the continuation of services to Iowa's elderly population for the biennium.

SENATE MESSAGES CONSIDERED

Senate File 447, a bill for an act relating to pipelines by establishing construction standards for pipelines to protect soil conservation and drainage structures and practices and allowing land surveys by pipeline companies after notice.

Read first time and referred to committee on **agriculture**.

Senate File 455, a bill for an act relating to the serving of breakfast to children in certain public and nonpublic schools.

Read first time and referred to committee on **education**.

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 on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 462, a bill for an act relating to juvenile justice provisions of the Code.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act relating to the regulation of securities transactions.

Also: That the Senate has on March 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 464, a bill for an act relating to the final report of the personal representative of a decedent's estate.

FRANK J. STORK, Secretary

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 693**, a bill for an act providing for the deduction of the federal income tax accrued for the tax year in computing the state individual and corporate income tax for that tax year, amendment H—3676 to amendment H—3626 (found on pages 1259 through 1261) and the motion to defer amendment H—3676 by Avenson of Fayette.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

O'Kane of Woodbury, for the remainder of the day, on request of Doyle of Woodbury.

The House resumed consideration of House File 693, amendment H—3676, and the motion to defer amendment H—3676 by Avenson of Fayette.

On the motion to defer, roll call was requested by Jesse of Polk and Patchett of Johnson.

Rule 80 was invoked.

On the question "Shall the motion to defer amendment H—3676 prevail?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Miller	Norland	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 4:

Harbor	Lonergan	O'Kane	Schroeder
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The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lura of Marshall, for the remainder of the day, on request of Swearingen of Keokuk.

Avenson of Fayette moved to suspend the rules and adopt amendment H-3691, to amendment H-3626.

Roll call was requested by Patchett of Johnson and Jesse of Polk.

On the question "Shall the motion to suspend the rules and adopt amendment H-3691 prevail?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Cannolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lind

Lloyd-Jones	Miller	Norland	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lorenzen	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Halvorson, R.N.	Harbor	Lonergan	Lura
O'Kane			

The motion lost.

Patchett of Johnson asked for unanimous consent to amend amendment H—3676, to amendment H—3626.

Objection was raised.

Arnould of Scott asked for unanimous consent to take up amendment H—3693.

Objection was raised.

Arnould of Scott moved to suspend the rules for the consideration of amendment H—3693, to amendment H—3676 (to amendment H—3626).

Roll call was requested by Arnould of Scott and Cusack of Scott.

On the question "Shall the rules be suspended for the consideration of amendment H—3693?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Lloyd-Jones
Miller	Norland	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Harbor	Jesse	Loneragan	Lura
O'Kane			

The motion lost.

West of Marshall moved the adoption of amendment H—3676, to amendment H—3626.

Roll call was requested by West of Marshall and Halvorson of Clayton.

Rule 80 was invoked.

On the question "Shall amendment H—3676, to amendment H—3626, be adopted?"

The ayes were, 77:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Branstad	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Welsh	West	Woods
Mr. Speaker			

- The nays were, 19:

Arnould	Binneboese	Brandt	Connors
Cusack	Davitt	Doyle	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Miller	Norland	Patchett
Rapp	Spear	Wells	

Absent or not voting, 4:

Harbor	Lonergan	Lura	O'Kane
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Amendment H—3676 was adopted.

With the adoption of amendment H—3676, the following amendments are out of order:

H—3692, to amendment H—3676, (to amendment H—3626) filed by Horn of Linn on April 2, 1979.

H—3693, to amendment H—3676, (to amendment H—3626) filed by Arnould of Scott on April 2, 1979.

H—3690, to amendment H—3626, filed by Norland, et al., on April 2, 1979.

H—3691, to amendment H—3626, filed by Norland, et al., on April 2, 1979.

Rapp of Black Hawk offered amendment H—3694, to amendment H—3626, and requested division as follows:

H—3694

1 Amend the Conlon amendment, H-3626, to House File
2 693 as follows:

H—3694A

3 1. Page 1, by inserting after line 1 the following:

4 " . Page 1, by inserting before line 1 the

5 following:

6 "Sec. . Section four hundred twenty-two point
7 four (422.4), Code 1979, is amended by adding the

8 following new subsection:

9 NEW SUBSECTION.

0 a. "Annual inflation factor" means an index,

11 expressed as a percentage, determined by the general

12 assembly on or before May first of each year to reflect

13 the purchasing power of the dollar as a result of

14 inflation or deflation during the preceding twelve-

15 month period ending on December first. In determining

16 the annual inflation factor, the general assembly

17 shall use the best statistics available for the

18 preceding twelve-month period ending on December first

19 and the statistics shall include, but not be limited

20 to, the monthly national and Des Moines area consumer

21 price indexes if available produced by the bureau

22 of labor statistics of the United States department

23 of labor and the commodity indexes published in "The

24 Wall Street Journal" by Dow Jones and Company.

25 b. "Adjusted inflation factor" means the product

26 of the annual inflation factor for the twelve-month

27 period ending on December 1, 1979 and all annual

28 inflation factors for subsequent twelve-month periods

29 ending on December first as determined pursuant to

30 this subsection. The adjusted inflation factor shall

31 apply to all tax years beginning on or after January

32 first of the calendar year in which the latest annual

33 inflation factor has been determined.

34 Sec. . Section four hundred twenty-two point

35 five (422.5), Code 1979, is amended by adding the

36 following new unnumbered paragraph:

37 NEW UNNUMBERED PARAGRAPH. Upon determination of

38 the latest adjusted inflation factor, the director

39 shall multiply each dollar amount, including those

40 expressed in the tax brackets, set forth in this

41 section by that adjusted inflation factor and shall

42 round off the resulting product to the nearest one

43 dollar.

H—3694B

44 . Page 1, line 2 by inserting after the figure
 45 "(422.9)," the words and figure "subsection one (1)
 46 and".
 47 . Page 1, by inserting after line 3 the
 48 following:
 49 "1. An optional standard deduction of ten percent
 50 of the net income after deduction of federal income

Page 2

1 tax, not to exceed five hundred dollars multiplied
 2 by the adjusted inflation factor for a married person
 3 who files separately, or one thousand dollars
 4 multiplied by the adjusted inflation factor for a
 5 single person or a husband and wife who file a joint
 6 return." "
 7 2. Page 1, by inserting after line 24 the
 8 following:
 9 "Sec. . Section four hundred twenty-two point
 10 thirteen (422.13), subsections one (1) and two (2),
 11 Code 1979, are amended to read as follows:
 12 1. Every resident of Iowa who is required to file
 13 a federal income tax return under the Internal Revenue
 14 Code of 1954, or who has a net income of two thousand
 15 dollars multiplied by the adjusted inflation factor
 16 or more for the tax year from sources taxable under
 17 this division, shall make and sign a return.
 18 2. Every nonresident who is required to file a
 19 federal income tax return under the Internal Revenue
 20 Code of 1954 and who has a net income of two thousand
 21 dollars multiplied by the adjusted inflation factor
 22 or more for the tax year from sources taxable under
 23 this division, shall make and sign a return.
 24 Sec. . Section four hundred twenty-two point
 25 fourteen (422.14), subsection one (1), Code 1979,
 26 is amended to read as follows:
 27 1. Every fiduciary subject to taxation under the
 28 provisions of this division, as provided in section
 29 422.6, shall make and sign a return for the individual,
 30 estate or trust for whom or for which he or she acts,
 31 if the taxable income thereof amounts to six hundred
 32 dollars multiplied by the adjusted inflation factor
 33 or more. A nonresident fiduciary shall file a copy
 34 of the federal income tax return for the current tax
 35 year with the return required by this section.
 36 Sec. . Section four hundred twenty-two point
 37 twenty-one (422.21), Code 1979, is amended by adding
 38 the following new unnumbered paragraph:
 39 NEW UNNUMBERED PARAGRAPH. The director shall

40 compute the new dollar amounts as required in sections
 41 four hundred twenty-two point five (422.5), four
 42 hundred twenty-two point nine (422.9), four hundred
 43 twenty-two point thirteen (422.13) and four hundred
 44 twenty-two point fourteen (422.14) of the Code by
 45 multiplying the dollar amounts specified therein to
 46 be adjusted by the adjusted inflation factor, rounding
 47 off the result to the nearest one dollar, and
 48 incorporating the result into the income tax forms
 49 and instructions for each taxable year."
 50 3. Page 2, line 4, by inserting after the word

Page 3

1 "words" the words "and making changes in the state
 2 individual income tax by providing for an inflation
 3 factor to mitigate some of the effects of inflation".
 4 4. By numbering and renumbering as required by
 5 this amendment.

Rapp of Black Hawk asked and received unanimous consent to withdraw amendments H-3694A and H-3694B.

Conlon of Muscatine moved the adoption of amendment H-3626, as amended.

Roll call was requested by Conlon of Muscatine and Pope of Polk,

On the question "Shall amendment H-3626, as amended, be adopted?"

The ayes were, 79:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Branstad	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Mullins
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema

Schnekloth	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 16:

Arnould	Binneboese	Brandt	Connors
Davitt	Hall	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Miller
Norland	Patchett	Rapp	Sherzan

Absent or not voting, 5:

Egenes	Harbor	Lonergan	Lura
O'Kane			

Amendment H—3626, as amended, was adopted.

Jesse of Polk rose on a point of order and invoked Rule 37 to send House File 693 to the committee on appropriations.

Halvorson of Clayton moved to suspend Rule 37.

A non-record roll call was requested.

The ayes were 54, nays 39.

The motion prevailed and Rule 37 was suspended.

Patchett of Johnson rose on a point of order and invoked Rule 32.

The Speaker ruled the point not well taken and Rule 32 not in order.

Conlon 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. 693)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 5:

Arnould	Jesse	Jochum	Norland
Patchett			

Absent or not voting, 4:

Harbor	Lonergan	Lura	O'Kane
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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 TABLED
(House File 693)

West of Marshall moved to reconsider the vote by which House File 693 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 54, nays 38.

The motion prevailed.

On motion by Halvorson of Clayton the House was recessed at 12:54 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-two eighth grade students from Schleswig Middle Senior High School, Schleswig, Iowa, accompanied by D. Goode. By Bennett of Ida.

Sixty students from Algona High School, Algona, Iowa, accompanied by Steve King, Ann Williams, Ray Johnson and Ade Knobloch. By Mullins of Kossuth.

SENATE MESSAGES CONSIDERED

Senate File 462, a bill for an act relating to juvenile justice provisions of the Code.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 463, a bil for an act relating to the regulation of securities transactions.

Read first time and **passed on file**.

Senate File 464, a bill for an act relating to the final report of the personal representative of a decedent's estate.

Read first time and **passed on file**.

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 on April 2, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 446, a bill for an act relating to weighing and measuring.

FRANK J. STORK, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-seven members present, twenty-three absent.

REGULAR CALENDAR

House File 683, a bill for an act increasing the maximum assessment established by the Iowa corn promotion board and relating to the use for political purposes of funds derived from the assessment, was taken up for consideration.

Bennett of Ida 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. 683)

The ayes were, 73:

Anderson, J.	Arnould	Bennett	Bina
Brandt	Branstad	Bruner	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connors
Corey	Crawford	Davitt	De Groot
Dieleman	Diemer	Egenes	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Maulsby	McKean	Menke	Mullins
Norland	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 17:

Anderson, R.	Avenson	Binneboese	Chiodo
Connolly	Cusack	Doyle	Evans
Hullinger	Husak	Lind	Miller
Oxley	Patchett	Pavich	Perkins
Walter			

Absent or not voting, 10:

Byerly	Crabb	Daggett	Danker
Harbor	Jesse	Loneragan	Lura
O'Kane	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 683)

Bennett of Ida asked and received unanimous consent to immediately message House File 683 to the Senate.

House File 728, a bill for an act relating to the powers of pipeline inspectors, was taken up for consideration.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H—3655 filed by him and Daggett of Taylor on March 29, 1979.

Smalley of Polk offered the following amendment H—3700 filed by him and Tyrrell of Iowa and moved its adoption:

H—3700

- 1 Amend House File 728 as follows:
- 2 1. Page 1, line 15, by striking the word "or" and
- 3 inserting in lieu thereof the word "and".

A non-record roll call was requested.

The ayes were 20, nays 60.

Amendment H—3700 lost.

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. 728)

The ayes were, 89:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Maulsby	McKean	Menke
Miller	Norland	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 2:

Smalley	Welden
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Absent or not voting, 9:

Anderson, J.	Crabb	Harbor	Jesse
Lonergan	Lura	Mullins	O'Kane
Schroeder			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 728)

Schroeder of Pottawattamie asked and received unanimous consent to immediately message House File 728 to the Senate.

HOUSE FILE 96 WITHDRAWN

Schroeder of Pottawattamie asked and received unanimous consent to withdraw House File 96 from further consideration by the House.

House File 699, a bill for an act to establish a legislative penal and correctional review committee, was taken up for consideration.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3697 filed by her on April 2, 1979.

Holt of Clay 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 80 was invoked.

On the question "Shall the bill pass?" (H.F. 699)

The ayes were, 43:

Binneboese	Clark, J.H.	Cochran	Connors
Corey	Crabb	Crawford	Danker
Doyle	Egenes	Evans	Hall
Halvorson, R.A.	Hanson, D.	Hinkhouse	Holt
Horn	Howell	Hullinger	Jay
Johnson, R.	Johnson, W.	Lageschulte	Lind
Lloyd-Jones	Menke	Oxley	Pavich
Pellett	Pelton	Poffenberger	Pope
Schroeder	Shimanek	Smalley	Spear
Stromer	Swearingen	Thompson	Walter
Wells	West	Mr. Speaker	

The nays were, 50:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Conlon
Cannolly	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Gettings
Groth	Halvorson, R.N.	Hansen, I.	Hibbs
Hoffmann	Hummel	Husak	Jesse
Jochum	Kirkenslager	Krewson	Larsen
Lorenzen	Maulsby	McKean	Miller
Norland	Patchett	Perkins	Rapp
Ritsema	Schneklath	Sherzan	Shull

Tofte
Welsh

Tyrrell
Woods

Van Maanen

Welden

Absent or not voting, 7:

Avenson
Lura

Harbor
Mullins

Johnson, J.
O'Kane

Loneragan

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

SENATE FILE 339 SUBSTITUTED FOR HOUSE FILE 682

Holt of Clay asked and received unanimous consent to substitute Senate File 339 for House File 682.

Senate File 339, a bill for an act relating to investigation of arson and providing immunity and penalties, was taken up for consideration.

Bina of Scott offered the following amendment H--3709 filed by him from the floor:

H--3709

- 1 Amend Senate File 339, as passed by the Senate,
- 2 as follows:
- 3 1. Page 3, by inserting after line 6 the
- 4 following:
- 5 "Sec. . . NEW SECTION. SMOKE DETECTION SYSTEMS
- 6 REQUIRED. Smoke detection systems shall be
- 7 installed in all apartment houses, hotels, motels,
- 8 and rooming houses or parts of buildings used for
- 9 such purposes throughout the state on which
- 10 construction is begun after the effective date of
- 11 this Act. Smoke detection systems shall meet such
- 12 performance standards and installation requirements
- 13 as the state building code commissioner, in
- 14 consultation with the state fire marshal, shall by
- 15 rule prescribe."

Shimanek of Jones rose on a point of order that amendment H--3709 was not germane.

The Speaker ruled the point well taken and amendment H--3709 not germane.

Bina of Scott moved that the rules be suspended for the consideration of amendment H—3709.

Roll call was requested by Davitt of Warren and Bina of Scott.

On the question "Shall the rules be suspended for the consideration of amendment H—3709?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	Norland	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Daggett
Danker	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 10:

Clark, J.H.	Cochran	Crawford	Egenes
Harbor	Johnson, J.	Loneragan	Lura
O'Kane	Pope		

The motion lost.

Holt of Clay 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. 339)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jochum	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lorenzen
Maulsbý	McKean	Menke	Miller
Mullins	Norland	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Egenes	Harbor	Hinkhouse	Jesse
Johnson, J.	Loneragan	Lura	O'Kane

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 456 SUBSTITUTED FOR HOUSE FILE 726

Larsen of Wapello asked and received unanimous consent to substitute Senate File 456 for House File 726.

Senate File 456, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds, was taken up for consideration.

Brandt of Black Hawk asked and received unanimous consent to withdraw amendment H-3682 filed by her on April 2, 1979.

Bruner of Story offered the following amendment H—3683 filed by Lura of Marshall and him and moved its adoption:

H—3683

- 1 Amend Senate File 456, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 1, by striking lines 22 through 26 and
- 4 inserting in lieu thereof the following: "the grant
- 5 or contract is subject to a post completion audit."

A non-record roll call was requested.

The ayes were 59, nays 19.

Amendment H—3683 was adopted.

Larsen of Wapello 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. 456)

The ayes were, 67:

Anderson, J.	Anderson, R.	Avenson	Bennett
Brandt	Branstad	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Corey	Crabb
Crawford	Danker	Davitt	De Groot
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Hullinger	Hummel	Husak
Jay	Jesse	Johnson, R.	Kirkenslager
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Maulsby	Menke	Mullins	Oxley
Patchett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, 25:

Arnould	Bina	Bruner	Byerly
Chiodo	Connolly	Cusack	Daggett
Dieleman	Diemer	Doyle	Horn

Howell	Jochum	Krewson	Lind
McKean	Miller	Norland	Pavich
Pellett	Tyrrell	Van Maanen	Walter
Woods			

Absent or not voting, 8:

Binneboese	Connors	Harbor	Johnson, J.
Johnson, W.	Lonergan	Lura	O'Kane

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 682 WITHDRAWN

Shimanek of Jones asked and received unanimous consent to withdraw House File 682 from further consideration by the House.

HOUSE FILE 726 WITHDRAWN

Crawford of Story asked and received unanimous consent to withdraw House File 726 from further consideration by the House.

House File 729, a bill for an act relating to the payment of claims for nonpublic school pupil transportation, 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.

On the question "Shall the bill pass?" (H.F. 729)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jesse	Jochum	Johnson, R.

Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Binneboese	Connors	Harbor	Jay
Johnson, J.	Larsen	Lonerган	Lura
O'Kane	Thompson		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 729)

Stromer of Hancock asked and received unanimous consent to immediately message House File 729 to the Senate.

HOUSE FILE 194 WITHDRAWN

Stromer of Hancock asked and received unanimous consent to withdraw House File 194 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose, for the remainder of the day, on request of Shull of Warren.

House File 730, a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment, was taken up for consideration.

Welden of Hardin offered the following amendment H-3701 filed by him and moved its adoption:

H-3701

- 1 Amend House File 730 as follows:
- 2 1. Page 1, by striking lines 14 and 15.

Amendment H-3701 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. 730)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Avenson	Binneboese	Crawford	Harbor
Jay	Johnson, J.	Lonergan	Lura
O'Kane			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 730)

Schroeder of Pottawattamie asked and received unanimous consent to immediately message House File 730 to the Senate.

HOUSE FILE 701 DEFERRED

Halvorson of Clayton asked and received unanimous consent to defer House File 701 and that the bill be placed on the unfinished business calendar.

UNFINISHED BUSINESS CALENDAR

Halvorson of Webster asked and received unanimous consent to take up out of order House File 79.

House File 79, a bill for an act to allow members of the office of citizens' aide to become notary publics, with report of committee recommending amendment and passage was taken up for consideration.

Crawford of Story offered amendment H—3424 filed by the committee on state government on March 15, 1979 and found on page 982 of the House Journal and moved its adoption.

Amendment H—3424 was adopted.

Connors 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. 79)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth

Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Norland	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Weiden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Egenes	Harbor	Jay	Johnson, J.
Loneragan	Lura	O'Kane	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

Cochran of Webster asked and received unanimous consent to be recorded as voting "aye" on House File 79 and the vote was so recorded.

House File 18, a bill for an act relating to the collection and distribution of state publications by the depository library center within the Iowa library department, with report of committee recommending amendment and passage was taken up for consideration.

Shimanek of Jones offered amendment H-3425 filed by the committee on state government on March 15, 1979 and found on page 982 of the House Journal and moved its adoption.

Amendment H-3425 was adopted.

Shimanek of Jones 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. 18)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Djemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Holt
Horn	Howell	Hullinger	Hummel
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Harbor	Hinkhouse	Hoffmann	Husak
Jay	Johnson, J.	Loneragan	Lura
O'Kane	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 372 WITHDRAWN

Doyle of Woodbury asked and received unanimous consent to withdraw House File 372 from further consideration by the House.

House File 381, a bill for an act requiring the use of understandable language and meaningful sequence of terms in consumer agreements, and providing a civil penalty, with report of committee recommending amendment and passage was taken up for consideration.

Poffenberger of Dallas offered amendment H—3363 filed by the committee on human resources on March 12, 1979 and found on page 906 of the House Journal and moved its adoption.

Amendment H—3363 was adopted.

Hoffmann of Muscatine offered the following amendment H—3519 filed by her and moved its adoption:

H—3519

- 1 Amend House File 381 as follows:
- 2 1. Page 1, line 25, by striking the word "consumer"
- 3 and inserting in lieu thereof the word "plaintiff".
- 4 2. Page 2, by inserting after line 11 the following
- 5 subsection:
- 6 " . This section does not prohibit the use of
- 7 words or phrases or agreement forms required or
- 8 expressly permitted by state or federal law, rule
- 9 or regulation or by city ordinance."

Amendment H—3519 was adopted.

Tyrrell of Iowa offered the following amendment H—3538 filed by him and moved its adoption:

H—3538

- 1 Amend House File 381 as follows:
- 2 1. Page 2, by striking lines 12 and 13 and insert-
- 3 ing in lieu thereof the following section:
- 4 "Sec. . This Act is effective July 1, 1981."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 42, nays 47.

Amendment H—3538 lost.

Hoffmann 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.

Under the provisions of Rule 81, Pope of Polk refrained from voting.

On the question "Shall the bill pass?" (H.F. 381)

The ayes were, 77:

Anderson, J.	Arnould	Bennett	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Diemer	Egenes
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jochum
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	West	Woods
Mr. Speaker			

The nays were, 10:

Avenson	Branstad	Chiodo	Dieleman
Doyle	Evans	Jesse	Lorenzen
Schneklloth	Schroeder		

Absent or not voting, 13:

Anderson, R.	Harbor	Hinkhouse	Husak
Johnson, J.	Johnson, R.	Lonergan	Lura
O'Kane	Pope	Smalley	Wells
Welsh			

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 on April 2, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 278, a bill for an act relating to violations of motor vehicle laws and providing technical corrections to motor vehicle laws.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 278, a bill for an act relating to violations of motor vehicle laws by providing for the admission of motor vehicle records in court actions, by providing for personal service of notices, by providing for consideration of out-of-state moving violation convictions in habitual offender determinations, by providing that operating a motor vehicle without a valid operator's license shall be a scheduled violation, by providing a revised schedule for excess speed violations, by prohibiting deferral of fines when a defendant admits a scheduled violation or is convicted of a scheduled violation, by providing for forfeiture of appearance bonds, and by providing technical corrections and providing penalties.

Read first time and referred to committee on **transportation**.

Senate File 446, a bill for an act relating to weighing and measuring.

Read first time and referred to committee on **agriculture**.

SPONSOR ADDED

(Amendment H—3593 to Senate File 388)

Branstad of Winnebago requested to be added as a sponsor of amendment H—3593 to Senate File 388.

**COMMUNICATION FROM
IOWA ARTS COUNCIL**

A Biennium Report 1976-1978 was received from the Iowa Arts Council and is on file in the office of the Chief Clerk.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 3, 1979. Had I been present, I would have voted "aye" on House File 729.

THOMPSON of Polk

AMENDMENTS FILED

H-3704	H.F. 701	Krewson of Polk
H-3705	S.F. 448	Dieleman of Marion
		Bina of Scott
H-3706	H.F. 691	Jochum of Dubuque
H-3707	S.F. 98	Howell of Floyd
H-3708	H.F. 701	Spear of Lee
H-3710	S.F. 373	Tyrrell of Iowa
		Maulsby of Calhoun
		Anderson of Audubon
		Branstad of Winnebago
		Danker of Pottawattamie
		Swearingen of Keokuk
H-3711	S.F. 93	Clark of Cerro Gordo
H-3712	H.F. 701	Jesse of Polk

On motion by Halvorson of Clayton the House adjourned at 5:35 p.m. until 10:00 a.m., Wednesday, April 4, 1979.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day—Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 4, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Gene Koth, pastor of the First United Methodist Church, Chariton, Iowa.

The Journal of Tuesday, April 3, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Hubiak, Humboldt, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Howard on request of Smalley of Polk; O'Kane of Woodbury, for a portion of the day, and Anderson of Jasper on request of Doyle of Woodbury.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-seven students from Fort Dodge High School, Fort Dodge, Iowa, accompanied by Ron Hagemann, Mrs. Georgenna Perkins, Mrs. Mary Lee Kirkberg and Jill Stevenson. By Cochran of Webster and Halvorson of Webster.

Thirty-two students from Eddyville Senior High School, Eddyville, Iowa, accompanied by John Sauer. By Van Maanen of Mahaska and Larsen of Wapello.

Twelve students from Crestwood High School, Cresco, Iowa, accompanied by Mrs. Pat Seebach. By Johnson of Howard.

PETITIONS FILED

The following petitions were received and placed on file:

By Daggett of Taylor, from one hundred ninety-five constituents opposing the increased number of rate increases now pending before the Iowa State Commerce Commission and urging the commission to challenge these inflationary rate increases.

By Harbor of Mills, from thirteen constituents of the ninety-seventh district favoring the addition of two fire and arson investigators to the staff of the State Fire Marshal's Office.

INTRODUCTION OF BILLS

House File 734, by committee on appropriations, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research.

Read first time and placed on the **appropriations calendar**.

House File 735, by committee on appropriations, a bill for an act appropriating funds to the office for planning and programming to match economic development federal funds.

Read first time and placed on the **appropriations calendar**.

ADOPTION OF HOUSE RESOLUTION 29

Pursuant to House Rule 31, the Speaker announced that House Resolution 29, congratulating the Davenport Central High School basketball team and coaches, filed on March 19, 1979 and found on pages 1008 and 1009 of the House Journal, was adopted by unanimous consent.

CONSIDERATION OF BILLS
Regular Calendar

House File 705, a bill for an act relating to the use of watercraft on artificial lakes under the jurisdiction of the Iowa state conservation commission, was taken up for consideration.

Diemer of Black Hawk offered the following amendment H—3635 filed by him:

H—3635

- 1 Amend House File 705 as follows:
- 2 1. Page 1, by striking lines 7 and 8.

Pelton of Clinton offered the following amendment H—3666, to amendment H—3635, filed by him and moved its adoption:

H—3666

- 1 Amend amendment H—3635 to House File 705 as
- 2 follows:
- 3 1. Page 1, by inserting before line 2 the
- 4 following:
- 5 "1. Page 1, line 2, by striking "subsection
- 6 one (1), Code 1977" and inserting in lieu thereof
- 7 the following: "subsection two (2), Code 1979".
- 8 2. Page 1, line 4, by striking "Motorboats
- 9 engaged" and inserting in lieu thereof the following:
- 10 "Sailboats and canoes may engage"."

A non-record roll call was requested.

The ayes were 23, nays 62.

Amendment H—3666 lost.

Brandt of Black Hawk offered the following amendment H—3698, to amendment H—3635, filed by her and moved its adoption:

H—3698

- 1 Amend amendment H—3635, to House File 705, as
- 2 follows:
- 3 1. Page 1, line 2, by inserting after the
- 4 figure "8" the following: "and inserting in lieu
- 5 thereof the following:
- 6 "Sec. 2. This Act, being deemed of immediate
- 7 importance, shall take effect and be in force from
- 8 and after its publication in The Waterloo Courier, a
- 9 newspaper published in Waterloo, Iowa, and in the
- 10 Oskaloosa Daily Herald, a newspaper published in
- 11 Oskaloosa, Iowa." "

Amendment H—3698 was adopted.

On motion by Diemer of Black Hawk, amendment H-3635, as amended, was adopted.

Diemer 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. 705)

The ayes were, 65:

Avenson	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hummel
Husak	Jay	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	Oxley
Pavich	Pellett	Poffenberger	Rapp
Ritsema	Schneklath	Schroeder	Shull
Smalley	Spear	Stromer	Tofte
Tyrrell	Van Maanen	Wells	West
Mr. Speaker			

The nays were, 25:

Anderson, J.	Arnould	Bina	Binneboese
Bruner	Byerly	Cusack	Davitt
Dieleman	Doyle	Horn	Hullinger
Jesse	Jochum	Krewson	Larsen
Lloyd-Jones	Pelton	Perkins	Pope
Sherzan	Shimanek	Swearingen	Thompson
Walter			

Absent or not voting, 10:

Anderson, R.	Chiodo	Daggett	Johnson, J.
Lonergan	O'Kane	Patchett	Welden
Welsh	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED
(House File 705)

Diemer of Black Hawk asked for unanimous consent to immediately message House File 705 to the Senate.

Objection was raised.

Smalley of Polk moved to reconsider the vote by which House File 705 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 59, nays 20.

The motion prevailed.

Appropriations Calendar

House File 694, a bill for an act making supplemental appropriations to the state department of transportation from the road use tax fund and the primary road fund for salaries, support, maintenance and miscellaneous purposes, administering the merit system, and unemployment compensation, was taken up for consideration.

Cusack of Scott asked and received unanimous consent to withdraw amendment H—3513 (to page 2) filed by him on March 22, 1979, placing out of order amendment H—3605 (to amendment H—3513) filed by Spear of Lee on March 27, 1979.

Bina of Scott offered the following amendment H—3536 filed by him and Cusack of Scott:

H—3536

- 1 Amend House File 694 as follows:
- 2 1. Page 2, by inserting after line 7 the following
- 3 new section:
- 4 "Sec. . There is appropriated from the road
- 5 use tax fund to the state department of transportation
- 6 for the fiscal period beginning with the effective
- 7 date of this Act and ending June 30, 1979, the sum
- 8 of three million dollars to be allocated to each city
- 9 in the state in the proportion that the population

10 of each city is to the total population of all cities
 11 in the state. Funds appropriated by this section
 12 shall be used to pay costs of snow removal incurred
 13 by cities due to excessive snowfall in the fiscal
 14 year beginning July 1, 1978 and ending June 30, 1979."
 15 2. Renumber sections and correct internal
 16 references as are necessary in accordance with this
 17 amendment.

Spear of Lee offered the following amendment H-3606, to amendment H-3536, filed by him and moved its adoption:

H-3606

1 Amend the Bina and Cusack amendment, H-3536, to
 2 House File 694 as follows:
 3 1. Page 1, line 13, by inserting after the word
 4 "snowfall" the words "and repair of streets damaged
 5 by the severe winter weather conditions".

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

On the question "Shall amendment H-3606, to amendment H-3536, be adopted?"

The ayes were, 38:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Kirkenslager	Lloyd-Jones	Miller
Norland	Oxley	Pavich	Pope
Rapp	Schroeder	Sherzan	Spear
Walter	Wells		

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke

Mullins	Pellett	Pelton	Perkins
Poffenberger	Ritsema	Schneklloth	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 12:

Anderson, R.	Chiodo	Connors	Crawford
Evans	Johnson, J.	Lonergan	O'Kane
Patchett	Stromer	Welsh	Woods

Amendment H—3606 lost.

Bina of Scott moved the adoption of amendment H—3536.

Roll call was requested by Bina of Scott and Pavich of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3536 be adopted?"

The ayes were, 27:

Arnould	Avenson	Bina	Binneboese
Bruner	Byerly	Connolly	Cusack
Davitt	Doyle	Gettings	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Husak	Jochum	Kirkenslager	Lloyd-Jones
Patchett	Pavich	Rapp	Sherzan
Spear	Walter	Wells	

The nays were, 63:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connors	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Egenes	Evans	Groth
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Hummel
Jay	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Oxley	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schneklloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 10:

Anderson, R.	Chiodo	Hullinger	Jesse
Johnson, J.	Loneragan	Norland	O'Kane
Welsh	Woods		

Amendment H — 3536 lost.

Hoffmann 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. 694)

The ayes were, 84:

Anderson, J.	Bennett	Bina	Binneboese
Brandt	Branstad	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	West	Mr. Speaker

The nays were, 7:

Arnould	Avenson	Cusack	Doyle
Lloyd-Jones	Norland	Tyrrell	

Absent or not voting, 9:

Anderson, R.	Chiodo	Corey	Howell
Johnson, J.	Loneragan	O'Kane	Welsh
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 694)

Hoffmann of Muscatine asked and received unanimous consent to immediately message House File 694 to the Senate:

UNANIMOUS CONSENT TO VOTE

De Groot of Lyon asked and received unanimous consent to be recorded as voting "aye" on House File 693, found on page 1287 of the House Journal. The vote was so recorded.

Hanson of Delaware asked and received unanimous consent to be recorded as voting "aye" on House File 719, found on page 1256 of the House Journal. The vote was so recorded.

On motion by Halvorson of Clayton the House was recessed at 11:37 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:10 p.m., Speaker pro tempore Harbor of Mills in the chair.

PRESENTATION OF VISITORS

Crabb of Crawford and Bennett of Ida presented to the House, Youth for Understanding Exchange Students, Ralph Peters from West Germany and Gerald Zabata from France. They were accompanied by their American family, Mr. and Mrs. Dick McCollough; son, Paul; and daughter, Linda, of Denison, Iowa.

Connors of Polk presented to the House the Honorable Howard Reppert, former member of the House and Senate, representing Polk County.

The Speaker announced that the following visitors were present in the House chamber:

Fifty-two sixth grade students from Britt Elementary School, Britt, Iowa, accompanied by Mrs. Klipping and Mrs. Sankey. By Stromer of Hancock.

Fifty eighth grade students from St. John School, Bancroft, Iowa, accompanied by Mrs. Madeline Summitt. By Branstad of Winnebago.

Thirty-five seventh and eighth grade students from St. Mary School, Humbolt, Iowa, accompanied by Doris Labounty. By Cochran of Webster.

Twenty-one students from Stanton High School, Stanton, Iowa, accompanied by Don Hicks. By Daggett of Taylor.

HOUSE RESOLUTION 32

By Arnould, Lloyd-Jones,
Cusack and Rapp

- 1 *Whereas*, there is inadequate knowledge regarding
- 2 effects of radiation exposure to employees of, or to
- 3 those residing near, nuclear generating facilities;
- 4 and
- 5 *Whereas*, thorough research is needed before the
- 6 proper disposal of nuclear waste products can be
- 7 effected; and
- 8 *Whereas*, no facilities are currently available
- 9 in the United States for the reprocessing of spent
- 10 nuclear fuels; and
- 11 *Whereas*, the technology does not exist to ensure
- 12 the safe operation of existing nuclear facilities as
- 13 shown by the recent operations failure at the Three
- 14 Mile Island Nuclear Plant; *Now Therefore*,
- 15 *Be It Resolved By The House Of Representatives*,
- 16 That the House of Representatives encourage the
- 17 Governor of Iowa, the Iowa Commerce Commission, the
- 18 Iowa Department of Environmental Quality, the Iowa
- 19 Department of Health, the United States Environmental
- 20 Protection Agency, and Iowa's Congressional Delegation
- 21 to exercise their joint efforts to halt the construction
- 22 of any new, or expansion of any existing, nuclear
- 23 generating facilities; and
- 24 *Be It Further Resolved*, That a copy of this
- 25 resolution be forwarded to the governor, to the
- 26 members of the Iowa congressional delegation, and
- 27 to the above-named agencies.

Laid over under Rule 30.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker pro tempore Harbor of Mills in the chair.

CONSIDERATION OF BILLS Unfinished Business

House File 701, a bill for an act to establish a state department of mental health, prescribe its powers and duties, transfer to it certain responsibilities presently imposed by law on the division of mental health of the department of social services and on the Iowa mental health authority, and make amendments in conformity with these changes to various sections of the Code as necessary, was taken up for consideration.

Krewson of Polk offered the following amendment H—3703 filed by Krewson, et al.:

H—3703

- 1 Amend House File 701 as follows:
- 2 1. Page 2, line 1, by striking the word
- 3 "administration" and inserting in lieu thereof the
- 4 word "administrative".
- 5 2. Page 5, line 30, by inserting after the word
- 6 "After" the word "suitably".
- 7 3. Page 5, line 31, by striking the word
- 8 "suitably".
- 9 4. Page 5, line 35, by inserting after the word
- 10 "SECTION." the words "POWERS AND".
- 11 5. Page 6, line 3, by striking the word "has"
- 12 and inserting in lieu thereof the words "is delegated".
- 13 6. Page 6, line 24, by striking the words "mental
- 14 health".
- 15 7. Page 6, by inserting after line 29 the follow-
- 16 ing:
- 17 "9. With approval of the commission, expend moneys
- 18 from the support allocation of the department as
- 19 reimbursement for replacement or repair of personal
- 20 items belonging to an employee of the department which
- 21 are damaged or destroyed by clients of the department
- 22 during the employee's tour of duty, provided that
- 23 the reimbursement shall not exceed seventy-five dollars
- 24 for each item."
- 25 8. Page 9, line 27, by striking the word "heads"
- 26 and inserting in lieu thereof the word "head".
- 27 9. Page 10, line 20, by striking the word "part".
- 28 10. Page 10, lines 22 and 23, by striking the

29 words "except as otherwise provided by" and inserting
 30 in lieu thereof the words "subject to the requirements
 31 of".

32 11. Page 11, line 4, by striking the word "part".

33 12. Page 11, line 10, by striking the word "Act"
 34 and inserting in lieu thereof the word "section".

35 13. Page 13, line 30, by striking the word "not"
 36 and inserting in lieu thereof the word "no".

37 14. Page 16, line 21, by inserting after the word
 38 "perform" the word "a".

39 15. Page 18, by inserting after line 9 the
 40 following new section:

41 "Sec. . . . Section seventeen point three (17.3),
 42 Code 1979, is amended by adding the following new
 43 subsection:

44 NEW SUBSECTION. The director of mental health."

45 16. Page 18, by inserting after line 27 the
 46 following new section:

47 "Sec. . . . Section eighteen point one hundred
 48 fifteen (18.115), subsection nine (9), Code 1979,
 49 is amended to read as follows:

50 9. All gasoline used in state-owned automobiles

Page 2

1 shall be purchased at cost from the various
 2 installations or garages of the state department of
 3 transportation, state board of regents, department
 4 of social services, department of mental health or
 5 state car pools throughout the state, unless such
 6 purchases are exempted by the vehicle dispatcher.
 7 The vehicle dispatcher shall study and determine the
 8 reasonable accessibility of these state-owned sources
 9 for the purchase of gasoline. If these state-owned
 10 sources for the purchase of gasoline are not reasonably
 11 accessible, the vehicle dispatcher shall authorize
 12 the purchase of gasoline from other sources. The
 13 vehicle dispatcher may prescribe a manner, other than
 14 the use of the revolving fund, in which the purchase
 15 of gasoline from state-owned sources shall be charged
 16 to the department or agency responsible for the use
 17 of the automobile. The vehicle dispatcher shall
 18 prescribe the manner in which oil and other normal
 19 automobile maintenance for state-owned automobiles
 20 may be purchased from private sources, if they cannot
 21 be reasonably obtained from a state car pool. The
 22 state vehicle dispatcher may advertise for bids and
 23 award contracts for the furnishing of gasoline, oil,
 24 grease, and vehicle replacement parts for all state-
 25 owned vehicles."

26 17. Page 19, by inserting after line 1 the
 27 following new sections:

28 "Sec. . . Section twenty-three point one (23.1),
29 unnumbered paragraph two (2), Code 1979, is amended
30 to read as follows:

31 The word "municipality" as used in this chapter
32 shall mean county, except in the exercise of its power
33 to make contracts for secondary road improvements,
34 township, school corporation, state fair board, state
35 board of regents, state department of mental health
36 and state department of social services.

37 Sec. . . Section twenty-five A point two (25A.2),
38 subsection three (3), Code 1979, is amended to read
39 as follows:

40 3. "Employee of the state" includes any one or
41 more officers, agents, or employees of the state or
42 any state agency, including members of the general
43 assembly, and persons acting on behalf of the state
44 or any state agency in any official capacity,
45 temporarily or permanently in the service of the state
46 of Iowa, whether with or without compensation.
47 Professional personnel, including medical doctors,
48 osteopathic physicians and surgeons, osteopathic
49 physicians, optometrists and dentists, who render
50 services to patients and inmates of state institutions

Page 3

1 under the jurisdiction of the department of social
2 services or the department of mental health are to
3 be considered employees of the state, whether such
4 personnel are employed on a full-time basis or render
5 such services on a part-time basis on a fee schedule
6 or arrangement, but shall not include any contractor
7 doing business with the state."

8 18. Page 19, by inserting after line 7 the
9 following new sections:

10 "Sec. . . Section sixty-eight B point two (68B.2),
11 subsection four (4), Code 1979, is amended to read
12 as follows:

13 4. "Regulatory agency" means department of
14 agriculture, industrial commissioner, bureau of labor,
15 occupational safety and health review commission,
16 department of job service, department of banking,
17 insurance department of Iowa, state department of
18 health, department of public safety, department of
19 public instruction, state board of regents, department
20 of social services, department of mental health,
21 department of revenue, Iowa state commerce commission,
22 Iowa beer and liquor control department, board of
23 pharmacy examiners, state conservation commission,
24 state department of transportation, Iowa state civil
25 rights commission, department of soil conservation,
26 department of public defense, and Iowa natural

27 resources council.

28 Sec. . Section one hundred ten point twenty-
29 four (110.24), unnumbered paragraph seven (7), Code
30 1979, is amended to read as follows:

31 No license shall be required of minor pupils of
32 the state school for the blind, state school for the
33 deaf, nor of minor residents, patients or inmates
34 of other state institutions under the control of a
35 director of a division of the department of social
36 services or of the head of the division of community
37 services of the department of mental health, except
38 that this provision shall not apply to the inmates
39 of the men's penitentiary at Fort Madison, the men's
40 reformatory at Anamosa, and the women's reformatory
41 at Rockwell City, nor shall any person who is on
42 active duty with the Armed Forces of the United States,
43 on authorized leave, and a legal resident of the state
44 of Iowa, be required to have a license to hunt or
45 fish in this state. No license shall be required
46 of inmates residents of county care facilities or
47 any person who is receiving old-age assistance under
48 federal supplemental security income as defined in,
49 or state supplementary assistance under the provisions
50 of chapter 249."

Page 4

1 19. Page 19, by inserting after line 22 the
2 following new sections:

3 "Sec. . Section one hundred twenty-five point
4 forty-three (125.43), Code 1979, is amended to read
5 as follows:

6 125.43 FUNDING AT MENTAL HEALTH INSTITUTES.

7 Chapter 230 shall govern the determination of the
8 costs and payment for treatment provided to substance
9 abusers in a mental health institute under the
10 department of social services mental health, except
11 that the charges shall not constitute a lien on any
12 real estate owned by persons legally liable for support
13 of the substance abuser and the daily per diem shall
14 be billed at twenty-five percent. Beginning July
15 1, 1977, the superintendent of a state hospital shall
16 total only those expenditures which can be attributed
17 to the cost of providing inpatient treatment to
18 substance abusers for purposes of determining the
19 daily per diem. The provisions of section 125.48
20 shall govern the determination of who is legally
21 liable for the cost of care, maintenance, and treatment
22 of a substance abuser and of the amount for which
23 the person is liable.

24 Sec. . Section one hundred twenty-five point
25 forty-seven (125.47), Code 1979, is amended to read

26 as follows:
27 125.47 DISPUTES OVER PAYMENT. In the event any
28 county to which certification of the cost of care,
29 maintenance, and treatment of a substance abuser is
30 made, disputes that such substance abuser has residence
31 in that county, it shall immediately notify the
32 facility that such dispute exists. The director shall
33 immediately investigate the facts and determine in
34 which county the patient has residence. The director
35 shall certify the determination to the county, if
36 any, wherein it is found the patient has residence
37 and to the facility. A county certified by the
38 director to be the county of residence shall reimburse
39 the facility as provided in this chapter. If the
40 director finds that the residence of a substance
41 abuser at the time of admission was in another state
42 or country or that the person is unclassified with
43 respect to residence, then the department shall pay
44 for that portion of the patient's care, maintenance,
45 and treatment that the patient's county of residence
46 would have been liable to pay. For purposes of this
47 section, a "facility" does not include a mental health
48 institute under the control of the department of
49 ~~social services mental health.~~
50 20. Page 19, by inserting after line 33 the

Page 5

1 following new section:
2 "Sec. . . . Section one hundred thirty-five C point
3 twenty-two (135C.22), Code 1979, is amended to read
4 as follows:
5 135C.22 APPLICABLE TO GOVERNMENTAL UNITS. The
6 provisions of this chapter shall be applicable to
7 institutions operated by or under the control of the
8 department of social services, the department of
9 mental health, the state board of regents, or any
10 other governmental unit."
11 21. Page 22, line 27, by striking the figure
12 "281.1" and inserting in lieu thereof the figure
13 "218.1".
14 22. Page 22, line 35, by striking the words
15 "Soldiers home" and inserting in lieu thereof the
16 words "Iowa veterans home".
17 23. Page 24, line 31, by striking the words "and
18 State Penitentiary" and inserting in lieu thereof
19 the words "and, State Penitentiary, Iowa security
20 medical facility, correctional release center and
21 state correctional facility at Mount Pleasant".
22 24. Page 27, line 1, by inserting after the word
23 "retardation" the word "services".

- 24 25. Page 42, line 26, by inserting after the word
 25 "retardation" the word "services".
 26 26. Page 42, line 32, by inserting after the word
 27 "retardation" the word "services".
 28 27. Page 43, line 5, by inserting after the word
 29 "retardation" the word "services".
 30 28. Page 43, line 23, by inserting after the word
 31 "retardation" the word "services".
 32 29. Page 44, by inserting after line 1 the
 33 following new sections:
 34 "Sec. . Section two hundred twenty-three point
 35 four (223.4), subsection one (1), Code 1979, is amended
 36 to read as follows:
 37 1. Residents of any institution under the
 38 jurisdiction of the department of social services
 39 or the department of mental health."
 40 30. Page 44, line 34, by striking the word
 41 "Written" and inserting in lieu thereof the words
 42 "Written A written".
 43 31. Page 45, line 28, by striking the letter "g."
 44 and inserting in lieu thereof the letter "i."
 45 32. Page 48, by inserting after line 11 the
 46 following new section:
 47 "230.31 DEPARTERS FROM OTHER STATES. When any
 48 mentally ill person departs without proper authority
 49 from an institution in another state and is found
 50 in this state, any peace officer in any county in

Page 6

- 1 which ~~such~~ the patient is found may take and detain
 2 ~~him~~ that person without order and shall report such
 3 detention to the state director who shall provide
 4 for the return of ~~such~~ the patient to the authorities
 5 of the state where the unauthorized ~~leave was made~~
 6 ~~departure occurred~~. Pending such return ~~such~~ the
 7 patient may be detained temporarily at one of the
 8 institutions of this state governed by the state
 9 director or any other director of the state department
 10 of social services mental health. Expenses incurred
 11 under this section shall be paid in the same manner
 12 as is provided for transfers in section 230.8."
 13 33. Page 51, by striking lines 30 and 31 and
 14 inserting in lieu thereof the following:
 15 "3. The Arrange for the financial condition and
 16 transactions of ~~each~~ the community mental health center
 17 shall to be audited once each".
 18 34. Page 53, by inserting after line 5 the
 19 following new section:
 20 "Sec. . Section two hundred fifty-five point
 21 twenty-eight (255.28), Code 1979, is amended to read
 22 as follows:

23 255.28 TRANSFER OF PATIENTS FROM STATE
 24 INSTITUTIONS. The commissioner of ~~the department~~
 25 of social services and the director of any of the
 26 divisions of ~~such~~ that department, and the board in
 27 ~~control~~ of regents, with respect to the Iowa braille
 28 and sight-saving school, and the Iowa school for the
 29 deaf, and the director of mental health may,
 30 respectively, send any inmate, student or patient
 31 of any of said the institutions under their
 32 jurisdictions, or any person committed or applying
 33 for admission thereto, to the hospital of the medical
 34 college of the state university for treatment and
 35 care as provided in this chapter, without securing
 36 the order of court required in other cases. Said
 37 The state department of social services, and board
 38 in control of the Iowa braille and sight-saving school
 39 and the Iowa school for the deaf of regents and
 40 department of mental health shall respectively pay
 41 the traveling expenses of any patient thus committed,
 42 and when necessary the traveling expenses of an
 43 attendant for ~~such~~ the patient, out of funds
 44 appropriated for the use of the institution from which
 45 he the patient is sent.

46 Sec. . Section two hundred fifty-seven point
 47 seventeen (257.17), subsection one (1), Code 1979,
 48 is amended to read as follows:
 49 1. Exercise general supervision over the state
 50 system of public education, including the public

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1 elementary and secondary schools, the junior area
 2 vocational schools and community colleges, and shall
 3 have educational supervision over the elementary and
 4 secondary schools under the control of a director
 5 of a division of the department of social services
 6 or of the division of community services of the
 7 department of mental health, and nonpublic schools
 8 to the extent that is necessary to ascertain compliance
 9 with the provisions of the Iowa school laws.”

10 35. Page 54, by inserting after line 11 the
 11 following new section:
 12 “Sec. . Section four hundred twenty-two point
 13 forty-five (422.45), subsection five (5), unnumbered
 14 paragraph one (1), Code 1979, is amended to read as
 15 follows:
 16 “The gross receipts or from services rendered,
 17 furnished, or performed and of all sales of goods,
 18 wares or merchandise used for public purposes to any
 19 tax-certifying or tax-levying body of the state of
 20 Iowa or governmental subdivision thereof, including
 21 the state board of regents, state department of social

22 services, state department of mental health, state
 23 department of transportation, any municipally owned
 24 solid waste facility which sells all or part of its
 25 processed waste as fuel to a municipally owned public
 26 utility and all divisions, boards, commissions,
 27 agencies or instrumentalities of state, federal,
 28 county or municipal government which have no earnings
 29 going to the benefit of an equity investor or
 30 stockholder except sales of goods, wares or merchandise
 31 or from services rendered, furnished, or performed
 32 and used by or in connection with the operation of
 33 any municipally owned public utility engaged in selling
 34 gas, electricity or heat to the general public."

35 36. Page 55, line 7, by striking the word "they"
 36 and inserting in lieu thereof the word "it".

37 37. Page 57, by inserting after line 34 the
 38 following new section:

39 "Sec. . Section six hundred one C point two
 40 (601C.2), subsection one (1), Code 1979, is amended
 41 to read as follows:

42 1. "Public office building" means the state
 43 capitol, all county courthouses, all city halls, and
 44 all buildings used primarily for governmental offices
 45 of the state or any county or city. It does not
 46 include public schools or buildings at institutions
 47 of the state board of regents, state department of
 48 mental health or the state department of social
 49 services."

50 38. Page 58, by inserting after line 3 the

Page 8

1 following new sections:

2 "Sec. . Section seven hundred nineteen point
 3 seven (719.7), Code 1979, is amended to read as
 4 follows:

5 719.7 FURNISHING INTOXICANT TO INMATES. Any
 6 person not authorized by law who furnishes or knowingly
 7 makes available any intoxicating beverage to any
 8 inmate at any detention facility, correctional
 9 institution or any institution under the management
 10 of the department of social services or the department
 11 of mental health, or who introduces any intoxicating
 12 beverage into the premises of any such institution,
 13 commits a simple misdemeanor.

14 Sec. . Section seven hundred nineteen point
 15 eight (719.8), Code 1979, is amended to read as
 16 follows:

17 719.8 FURNISHING CONTROLLED SUBSTANCE TO INMATES.

18 Any person not authorized by law who furnishes or
 19 knowingly makes available any controlled substance
 20 to any inmate at any detention facility or correctional

21 institution, or at any institution under the management
22 of the department of social services or the department
23 of mental health, or who introduces any controlled
24 substance into the premises of any such institution,
25 commits a class "D" felony."

26 39. Page 58, line 12, by inserting after the
27 period the words "A commission member whose initial
28 term is longer than three years by virtue of this
29 section is eligible for reappointment to a second
30 consecutive term of three years."

31 40. Title, line 5, by inserting after the word
32 "authority," the words "provide a description of those
33 responsibilities of the department of social services
34 which are now assigned to the division of mental
35 health and which are to be left within the jurisdiction
36 of the department of social services,".

Krewson of Polk offered the following amendment H—3704, to amendment H—3703, filed by him and moved its adoption:

H—3704

1 Amend amendment H—3703, to page 2 of House File
2 701, as follows:

3 1. Page 5, by inserting after line 46 the
4 following:

5 "Sec. . Section two hundred thirty point
6 thirty-one (230.31), Code 1979, is amended to read
7 as follows:".

8 2. Page 6, line 16, by striking the word
9 "tranactions" and inserting in lieu thereof the word
10 "transactions".

Amendment H—3704 was adopted.

On motion by Krewson of Polk, amendment H—3703, as amended, was adopted, placing out of order amendment H—3684 (to page 9) filed by Spear of Lee on April 2, 1979.

De Groot of Lyon offered amendment H—3573 filed by De Groot et al.; and requested division as follows:

H—3573

1 Amend House File 701 as follows:

H—3573A

2 1. Page 2, line 19, by inserting after the word
 3 "council." the following: "At least one member of
 4 the commission shall be a member of a county board
 5 of supervisors at the time of his or her appointment
 6 to the commission."

H—3573B

7 2. Page 51, line 9, by inserting after the word
 8 "standards." the following: "At least a simple
 9 majority of the members of the advisory committee
 10 shall be lay representatives of community mental health
 11 center boards of directors, and at least three of
 12 those individuals shall be persons holding office
 13 as county supervisors at the time of their appointments
 14 to the advisory committee."

On motion by De Groot of Lyon, amendment H—3573A was adopted, placing out of order amendment H—3572 (to page 2) filed by Daggett of Taylor on March 26, 1979.

On motion by De Groot of Lyon, amendment H—3573B was adopted.

Speaker Millen in the chair at 3:09 p.m.

Spear of Lee offered amendment H—3563 filed by him and requested division as follows:

H—3563

1 Amend House File 701 as follows:

H—3563A

2 1. Page 4, line 7, by striking the words
 3 "as necessary".

H—3563B

4 2. Page 4, line 8, by striking the words
 5 "of an appropriate number".

Spear of Lee moved the adoption of amendment H—3563A.

A non-record roll call was requested.

The ayes were 19, nays 55.

Amendment H—3563A lost.

Spear of Lee moved the adoption of amendment H—3563B.

A non-record roll call was requested.

The ayes were 70, nays 1.

Amendment H—3563B was adopted.

Spear of Lee offered the following amendment H—3562 filed by him and moved its adoption:

H—3562

- 1 Amend House File 701 as follows:
- 2 1. Page 8, line 9, by striking the words
- 3 "training and".

A non-record roll call was requested.

The ayes were 62, nays 22.

Amendment H—3562 was adopted.

Spear of Lee offered the following amendment H—3702 filed by him and moved its adoption:

H—3702

- 1 Amend House File 701 as follows:
- 2 1. Page 9, line 28, by inserting after the word
- 3 "appointed" the words "and may be discharged".
- 4 2. Page 9, lines 29 and 30, by striking the words
- 5 ", and shall serve at the pleasure of the director".

A non-record roll call was requested.

The ayes were 14, nays 65.

Amendment H—3702 lost.

Spear of Lee offered the following amendment H—3561 filed by him and moved its adoption:

H—3561

- 1 Amend House File 701 as follows:
- 2 1. Page 10, line 13, by striking the word
- 3 "current".

Amendment H—3561 was adopted.

Miller of Buchanan offered the following amendment H—3568 filed by him and moved its adoption:

H—3568

- 1 Amend House File 701 as follows:
- 2 1. Page 12, line 11, by inserting after the word
- 3 "expended" the words "or obligated".

Amendment H—3568 was adopted.

Bennett of Ida offered the following amendment H—3628 filed by him and moved its adoption:

H—3628

- 1 Amend House File 701 as follows:
- 2 1. Page 12, by striking line 29 and inserting
- 3 in lieu thereof the words "to establish or expand
- 4 community-based mental health services and thereby
- 5 provide to persons in a particular county or area
- 6 one or more new mental health services not previously
- 7 available to persons in that county or area."

Amendment H—3628 was adopted.

Danker of Pottawattamie offered the following amendment H—3625 filed by Danker, et al.:

H—3625

- 1 Amend House File 701 as follows:
- 2 1. Page 13, by inserting after line 7 the following
- 3 new section:
- 4 "Sec. . **NEW SECTION. PARTIAL REIMBURSEMENT**
- 5 **TO COUNTIES FOR LOCAL INPATIENT MENTAL HEALTH CARE**
- 6 **AND TREATMENT.**
- 7 1. Each county which pays, from county funds
- 8 budgeted under section four hundred forty-four point
- 9 twelve (444.12), subsection six (6) of the Code, as
- 10 amended by this Act, the cost of care and treatment

11 of mentally ill persons at a public or private
12 inpatient treatment facility, other than a state
13 mental health institute, is entitled to reimbursement
14 from the state for a portion of the cost incurred
15 by the county for each day an individual is so treated
16 or cared for at county expense. The amount of
17 reimbursement to which each county is entitled, on
18 a per-patient-per-day basis, is:

19 a. During the fiscal year beginning July 1, 1980,
20 an amount equal to twenty-five percent of the average
21 of the four state mental health institutes' individual
22 average daily patient costs for the most recent
23 quarter.

24 b. During the fiscal year beginning July 1, 1981,
25 an amount equal to thirty percent of the average of
26 the four state mental health institutes' individual
27 average daily patient costs for the most recent
28 quarter.

29 c. During the fiscal year beginning July 1, 1982,
30 an amount equal to thirty-five percent of the average
31 of the four state mental health institutes' individual
32 average daily patient costs for the most recent
33 quarter.

34 d. During the fiscal year beginning July 1, 1983
35 and each fiscal year thereafter, an amount equal to
36 forty percent of the average of the four state mental
37 health institutes' individual average daily patient
38 costs for the most recent quarter.

39 2. Each county may claim the reimbursement provided
40 for by subsection one (1) of this section by filing
41 with the department a claim in a form prescribed by
42 the commission by administrative rule. Claims may
43 be filed on a quarterly basis, and when received shall
44 be verified expeditiously by the department. The
45 department shall certify to the state comptroller
46 the amount to which each county claiming reimbursement
47 under this section is entitled, and the comptroller
48 shall issue warrants to the respective counties drawn
49 upon funds appropriated by the general assembly for
50 the purpose of this section. Each county shall place

Page 2

1 funds received under this section in the county mental
2 health and institutions fund. If the appropriation
3 for any fiscal year is insufficient to pay all claims
4 arising under this section, the comptroller shall
5 prorate the funds appropriated for that year among
6 the claimant counties so that an equal proportion
7 of each county's claim is paid in each quarter for
8 which proration is necessary."

9 2. Page 48, by inserting after line 11 the
 10 following new section:
 11 "Sec. Section two hundred thirty point twenty
 12 (230.20), subsection five (5), Code 1979, is amended
 13 to read as follows:
 14 5. An individual statement shall be prepared for
 15 any patient on or before the fifteenth day of the
 16 month next succeeding the month in which that patient
 17 leaves the hospital, and a general statement shall
 18 be prepared at least quarterly for each county to
 19 which charges are made under this section. Except
 20 as otherwise required by sections 224A.2 and 224A.3
 21 chapter one hundred twenty-five (125) of the Code,
 22 the general statement shall list the name of each
 23 patient chargeable to that county who was served by
 24 the hospital during the preceding month or calendar
 25 quarter and the amount due on account of each patient,
 26 and the county shall be billed for ~~one hundred percent~~
 27 ~~the proportion of the stated charge for each patient,~~
 28 ~~unless otherwise specified in the current appropriation~~
 29 ~~for support of the state hospitals.~~ this subsection.
 30 The statement prepared for each county shall be
 31 certified by the superintendent of the hospital to
 32 the state comptroller and a duplicate statement shall
 33 be mailed to the auditor of that county.
 34 a. During the fiscal year beginning July 1, 1979,
 35 an amount equal to eighty percent of the stated charge
 36 for each patient.
 37 b. During the fiscal year beginning July 1, 1980,
 38 an amount equal to seventy-five percent of the stated
 39 charge for each patient.
 40 c. During the fiscal year beginning July 1, 1981,
 41 an amount equal to seventy percent of the stated
 42 charge for each patient.
 43 d. During the fiscal year beginning July 1, 1982,
 44 an amount equal to sixty-five percent of the stated
 45 charge for each patient.
 46 e. During the fiscal year beginning July 1, 1983,
 47 and each succeeding fiscal year, an amount equal to
 48 sixty percent of the stated charge for each patient."

Danker of Pottawattamie offered the following amendment
 H-3714, to amendment H-3625, filed by him from the floor and
 moved its adoption:

H-3714

1 Amend amendment H-3625, to page 13 of House File
 2 701 as follows:
 3 1. Page 1, by inserting after the period in line
 4 16 the following new sentence: "Reimbursement to

- 5 counties pursuant to this section shall not include
 6 the cost of care and treatment at county care
 7 facilities."

Amendment H—3714 was adopted.

Danker of Pottawattamie moved the adoption of amendment H—3625, as amended.

Roll call was requested by Danker of Pottawattamie and Welsh of Dubuque.

On the question "Shall amendment H—3625, as amended, be adopted?"

The ayes were, 91:

Anderson, J.	Avenson	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 3:

Arnould	Cusack	Welden
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Absent or not voting, 6:

Anderson, R.	Chiodo	Howell	Johnson, J.
Lonergan	Schroeder		

Amendment H—3625, as amended, was adopted.

RULE 37 SUSPENDED

Halvorson of Clayton moved to suspend Rule 37 on House File 701.

A non-record roll call was requested.

The ayes were 67, nays 17.

The motion prevailed.

With the adoption of amendment H—3625, amendment H—3636 (to page 13) filed by Miller, et al., was out of order.

Spear of Lee offered the following amendment H—3581 filed by him and moved its adoption:

H—3581

- 1 Amend House File 701 as follows:
- 2 1. Page 13, line 13, by inserting after the word
- 3 "center" the words ", or by an alternative diagnostic
- 4 facility,".

Amendment H—3581 was adopted.

Bennett of Ida offered the following amendment H—3627 filed by him and Clark of Cerro Gordo:

H—3627

- 1 Amend House File 701 as follows:
- 2 1. Page 16, by striking line 35, and page 17,
- 3 by striking lines 1 and 2, and inserting in lieu
- 4 thereof the following:
- 5 "2. Development of recommendations, agreed to
- 6 if possible by both commissions, respecting the status
- 7 and duties of the department of substance abuse after
- 8 July 1, 1982. Recommendations on this matter shall
- 9 be formulated by the mental health commission,
- 10 separately from that of the commission on substance
- 11 abuse if the two commissions are unable to agree,
- 12 and shall".
- 13 2. Page 19, by striking lines 18, 19 and 20 and

14 inserting in lieu thereof the following:
15 "b. Development of recommendations, agreed to
16 if possible by both commissions, respecting the status
17 and duties of the department of substance abuse after
18 July 1, 1982. Recommendations on this matter shall
19 be formulated by the commission on substance abuse,
20 separately from that of the mental health commission
21 if the two commissions are unable to agree, and shall".
22 3. Page 19, by striking lines 31, 32, and 33 and
23 inserting in lieu thereof the words "the status and
24 duties merger of the department with the department
25 of mental health, continuation of the department of
26 substance abuse as a separate agency, or an alternative
27 arrangement."

Krewson of Polk offered the following amendment H-3696, to amendment H-3627, filed by him and Cusack of Scott and moved its adoption:

H-3696

1 Amend amendment H-3627, to page 16 of House File
2 701 as follows:
3 1. Page 1, by striking lines 8 through 12 and
4 inserting in lieu thereof the following: "July 1, 1982,
5 which shall".
6 2. Page 1, by striking lines 18 through 21 and
7 inserting in lieu thereof the following: "July 1, 1982,
8 which shall".

A non-record roll call was requested.

The ayes were 51, nays 20.

Amendment H-3696 was adopted.

Bennett of Ida moved the adoption of amendment H-3627, as amended.

Roll call was requested by Bennett of Ida and Clark of Cerro Gordo.

Rule 80 was invoked.

On the question "Shall amendment H-3627, as amended, be adopted?"

The ayes were, 45:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Cochran	Corey	Crabb	Daggett
Danker	Davitt	De Groot	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hullinger	Hummel	Husak	Jay
Johnson, W.	Lind	Maulsby	McKean
Menke	Miller	Mullins	Norland
Oxley	Pellett	Pelton	Poffenberger
Pope	Schnekloth	Schroeder	Sherzan
Shimanek	Spear	Stromer	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 44:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Conlon	Connolly	Connors	Crawford
Cusack	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Jesse	Jochum	Johnson, R.
Kirkenslager	Krewson	Lloyd-Jones	O'Kane
Patchett	Pavich	Perkins	Rapp
Ritsema	Smalley	Swearingen	Thompson
Walter	Wells	Welsh	Woods

Absent or not voting, 11:

Anderson, R.	Clark, J.H.	Dieleman	Doyle
Johnson, J.	Lageschulte	Larsen	Lonergan
Lorenzen	Lura	Shull	

Amendment H—3627, as amended, was adopted.

Husak of Tama offered the following amendment H—3699 filed by him and moved its adoption:

H—3699

- 1 Amend House File 701 as follows:
- 2 1. Page 17, by inserting after line 4 the following
- 3 new section:
- 4 "Sec. 24. The provisions of sections one (1)
- 5 through twenty-four (24) of this Act are repealed
- 6 effective July 1, 1986. It is the intent of this
- 7 section that the first session of the Seventy-first
- 8 General Assembly meeting in the year 1985 shall review

9 the responsibilities and the performance of the
10 department of mental health, and the extent to which
11 the purpose stated in section one (1) of this Act
12 has been achieved, and shall at that session make
13 a decision concerning the placement after July 1,
14 1986 of the responsibilities assigned the department
15 of mental health by sections one (1) through twenty-
16 three (23) of this Act."

Amendment H—3699 was adopted.

Spear of Lee offered the following amendment H—3560 filed by him:

H—3560

- 1 Amend House File 701 as follows:
- 2 1. Page 45, line 18, by striking the word "kind,"
- 3 and inserting in lieu thereof the word "kind."

Spear of Lee offered the following amendment H—3708, to amendment H—3560, filed by him and moved its adoption:

H—3708

- 1 Amend amendment H—3560, to page 45 of House File
- 2 701, as follows:
- 3 1. Page 1, by striking lines 2 and 3 and insert-
- 4 ing in lieu thereof the following:
- 5 "1. Page 45, line 18, by striking the word "kind"
- 6 and inserting in lieu thereof the words "kind job
- 7 classification."

Amendment H—3708 was adopted.

On motion by Spear of Lee, amendment H—3560, as amended, was adopted.

Poffenberger of Dallas offered the following amendment H—3659 filed by Poffenberger, et al., and moved its adoption:

H—3659

- 1 Amend House File 701 as follows:
- 2 1. Page 49, line 35, by striking the words "two
- 3 three" and inserting in lieu thereof the word "two".
- 4 2. Page 50, line 1, by striking the words "two
- 5 three" and inserting in lieu thereof the word "two".

- 6 3. Page 50, by striking lines 11 through 19.
 7 4. Page 51, by striking lines 21, 22 and 23 and
 8 inserting in lieu thereof the following:
 9 "2. Unless it is governed by a board of trustees".

Amendment H—3659 was adopted.

Brandt of Black Hawk offered the following amendment H—3629 filed by her:

H—3629

- 1 Amend House File 701 as follows:
 2 1. Page 52, by inserting after line 7 the
 3 following:
 4 "4. Adopt and implement rules ensuring that no
 5 member of the center's board of directors, board of
 6 trustees or other policy-making board receives from
 7 the center information which identifies or is intended
 8 to permit the members of the board to identify any
 9 individual who is a client of that center."

Krewson of Polk offered the following amendment H—3730, to amendment H—3629, filed by him from the floor and moved its adoption:

H—3730

- 1 Amend amendment H—3629, to page 52 of House
 2 File 701, as follows:
 3 1. Page 1, line 5, by inserting after the word
 4 "directors," the word "or".
 5 2. Page 1, line 6, by striking the words "or
 6 other policy-making board".

Amendment H—3730 was adopted.

On motion by Brandt of Black Hawk, amendment H—3629, as amended, was adopted.

Jesse of Polk offered the following amendment H—3712 filed by him and moved its adoption:

H—3712

- 1 Amend House File 701 as follows:
 2 1. Page 56, line 18 by inserting after the
 3 word "budgeted" the words "by the board of super-

- 4 visors".
 5 2. Page 56, line 25 by inserting after the
 6 word "with" the words "the fund, or with".
 7 3. Page 56, line 27 by inserting after the
 8 word "commission" the words "and be consistent
 9 with the annual plan for services approved by
 10 the board of supervisors".

Amendment H—3712 was adopted.

Krewson 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. 701)

The ayes were, 94:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hcwell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellet	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 2:

Lura Welden

Absent or not voting, 4:

Anderson, R. Daggett Johnson, J. Lonergan

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 357, a bill for an act relating to the acceptance of checks by vendors of state liquor stores, with report of committee recommending amendment and passage was taken up for consideration.

Hansen of O'Brien offered amendment H—3440 filed by the committee on state government on March 15, 1979 and found on page 983 of the House Journal and moved its adoption.

A non-record roll call was requested.

The ayes were 64, nays 15.

Amendment H—3440 was adopted.

Thompson of Polk offered the following amendment H—3484 filed by her and Dieleman of Marion and moved its adoption:

H—3484

- 1 Amend House File 357 as follows:
- 2 1. Page 1, by striking lines 11 through 35.
- 3 2. Page 2, by striking lines 1 and 2.

Roll call was requested by Thompson of Polk and West of Marshall.

On the question "Shall amendment H—3484 be adopted?"

The ayes were, 28:

Anderson, J.	Binneboese	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Daggett
Danker	De Groot	Dieleman	Döyle
Egenes	Howell	Hullinger	Lageschulte
Larsen	Lind	Maulsby	McKean
Miller	Pellett	Poffenberger	Pope
Schnekloth	Smalley	Thompson	Van Maanen

The nays were, 64:

Arnould	Avenson	Bennett	Bina
Brandt	Bruner	Byerly	Chiodo

Cochran	Conlon	Connolly	Connors
Crawford	Davitt	Diemer	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Horn
Hummel	Husak	Jay	Jesse
Jochum	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lloyd-Jones	Lorenzen	Lura
Menke	Norland	O'Kane	Oxley
Pavich	Pelton	Perkins	Rapp
Ritsema	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Tofte
Tyrrell	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

Absent or not voting, 8:

Anderson, R.	Cusack	Hinkhouse	Johnson, J.
Lonergan	Mullins	Patchett	Schroeder

Amendment H—3484 lost.

Hansen 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. 357)

The ayes were, 74:

Arnould	Avenson	Bennett	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crawford
Cusack	Davitt	Dieleman	Diemer
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lloyd-Jones	Lorenzen	Lura	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pelton	Perkins
Poffenberger	Pope	Rapp	Schroeder
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Tofte	Tyrrell
Walter	Welden	Wells	Welsh
Woods	Mr. Speaker		

The nays were, 21:

Anderson, J.	Branstad	Clark, B.J.	Crabb
Daggett	Danker	De Groot	Doyle
Egenes	Hullinger	Lageschulte	Lind
Maulsby	McKean	Pellett	Ritsema
Schneklloth	Smalley	Thompson	Van Maanen
West			

Absent or not voting, 5:

Anderson, R.	Hinkhouse	Johnson, J.	Loneragan
Patchett			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED (House File 357)

Hansen of O'Brien moved to reconsider the vote by which House File 357 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 55, nays 33.

The motion prevailed.

PRESENTATION OF VISITOR

Mullins of Kossuth presented to the House, Garo Mikayelian from Beirut, Lebanon, presently attending Iowa State University.

MOTIONS TO RECONSIDER (Senate File 456)

I move to reconsider the vote by which Senate File 456 passed the House on April 3, 1979.

LARSEN of Wapello

(Amendment H—3683 to Senate File 456)

I move to reconsider the vote by which amendment H—3683, to

Senate File 456, was adopted by the House on April 3, 1979.

LARSEN of Wapello

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 3, 1979. Had I been present, I would have voted "aye" on House File 693.

LURA of Marshall

I was necessarily absent from the House chamber on April 4, 1979 when the vote was taken on amendment H—3627, as amended, to House File 701. Had I been present, I would have voted "aye."

SHULL of Warren

I was necessarily absent from the House chamber on April 4, 1979 when the vote was taken on amendment H—3627, as amended, to House File 701. Had I been present, I would have voted "aye."

LAGESCHULTE of Bremer

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 12:30 p.m., April 3, 1979.

Convened: 1:00 p.m.

Adjourned: 1:45 p.m.

Present: Shimanek, chair; Ritsema, vice-chair; Patchett, ranking member; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Doyle, Hibbs, Johnson of Howard, Maulsby, Pelton, Smalley, Walter and Welsh.

Absent: Conlon (arrived 1:43 p.m.), Corey (arrived 1:10 p.m.), Holt (arrived 1:30 p.m.), Jesse, Lloyd-Jones and Rapp.

Excused: Lonergan.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON COMMERCE

Senate File 176, a bill for an act repealing chapter three hundred twenty-three (323) of the Code, relating to franchises of distributors and dealers of motor fuels and special fuels.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON ENERGY

Senate File 344, a bill for an act relating to access to and use of solar energy.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 426, a bill for an act relating to the employment of legal counsel by school corporations.

Recommended Do Pass.

Fiscal note is not required.

Senate File 478, a bill for an act to legalize and validate the acts and agreements of north Iowa municipal electrical cooperative association and its municipal members with allied power cooperative of Iowa and declaring said actions to have been legally taken.

Recommended Without Recommendation.

Senate File 479, a bill for an act to legalize and validate the proceedings of the board of directors of southwestern community college merged area (merged area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under chapter two hundred eighty A (280A) of the Code.

Recommended Without Recommendation.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 373, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code.

Recommended Amend and Do Pass.

H-3713

1 Amend Senate File 373, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Sec. . Section ninety-six point three (96.3),
6 subsection three (3), Code 1979, is amended to read
7 as follows:

8 3. PARTIAL UNEMPLOYMENT. ~~Each An~~ individual who
9 is partially unemployed in any week as defined in
10 section 96.19, subsection 9, paragraph "b", and who
11 meets the conditions of eligibility for benefits shall
12 be paid with respect to ~~such that week~~ an amount equal
13 to ~~that the~~ individual's weekly benefit amount less
14 ~~fifty percent~~ of that part of wages payable to ~~him~~
15 ~~or her~~ the individual with respect to ~~such that week~~
16 in excess of ~~fifteen dollars~~ one-fourth of the
17 individual's weekly benefit amount. Such benefits
18 shall be rounded to the higher multiple of one dollar."

- 19 2. Page 3, by striking lines 1 through 10.
20 3. Page 4, by striking lines 10 through 23 and
21 inserting in lieu thereof the following:
22 "4. ~~He or she~~ The individual has been paid wages
23 for insured work during the individual's base period
24 in an amount at least one and one-half times the wages
25 paid to the individual during that quarter of the
26 individual's base period in which the individual's
27 wages were highest; provided that the individual has
28 been paid wages for insured work of not less than
29 four hundred dollars in that calendar quarter in his
30 or her the individual's base period in which his or
31 her the individual's wages were the highest, and also
32 he or she the individual has been paid wages for
33 insured work of not less than two hundred dollars
34 in a calendar quarter in his or her the individual's
35 base period other than the calendar quarter in which
36 his or her the individual's wages were the highest;
37 and provided further if he or she.
38 If the individual has drawn benefits in any benefit
39 year, ~~he or she the individual~~ must during or
40 subsequent to that year, work in and be paid wages
41 in for insured work totaling ~~two hundred dollars at~~
42 least six times the individual's average weekly wage,
43 during that quarter of the individual's base period
44 in which the individual's wages were highest, as a
45 condition to receive benefits in the next benefit
46 year."
47 4. Page 5, by inserting after line 7 the following:
48 "Sec. . Section ninety-six point four (96.4),
49 Code 1979, is amended by adding the following new
50 subsection:

Page 2

- 1 NEW SUBSECTION. The individual has satisfied a
2 one-week waiting period. For purposes of this
3 subsection a one-week waiting period means the
4 individual must be unemployed for one week in the
5 benefit year for which the individual claims benefits,
6 provided that the individual is not eligible for any
7 benefits with respect to this week from another state
8 and provided that the individual is eligible for
9 benefits for this week from this state. Benefits
10 shall not be paid to the individual for the one-week
11 waiting period until benefits have been payable for
12 five consecutive weeks following the waiting period."
13 5. Page 5, by striking lines 33 and 34 and
14 inserting in lieu thereof the words "for not less
15 than six consecutive weeks of work, provided he or
16 she".
17 6. Page 6, by striking line 10 and inserting in

18 lieu thereof the words "work for not less than six
19 consecutive weeks of work."

20 7. Page 7, line 14, by inserting after the word
21 "any." the words "The department in cooperation with
22 the employment office shall, if possible, furnish
23 the individual with the names of employers which are
24 seeking employees. The individual shall apply to
25 and obtain the signatures of the employers designated
26 by the department on forms provided by the department,
27 unless the employers refuse to sign the forms. The
28 individual's failure to obtain the signatures of
29 designated employers, which have not refused to sign
30 the forms, shall disqualify the individual from further
31 benefits until requalified."

32 8. Page 7, by striking line 17 and inserting in
33 lieu thereof the words "work for not less than six
34 consecutive weeks of work."

35 9. By striking page 7, line 19 through page 8,
36 line 4 and inserting in lieu thereof the following:

37 "a. In determining whether or not any work is
38 suitable for an individual, the department shall
39 consider the degree of risk involved to ~~his or her~~
40 the individual's health, safety, and morals, his or
41 her the individual's physical fitness and, prior
42 training, his or her experience and prior earnings,
43 his or her length of unemployment, and prospects for
44 securing local work in his or her the individual's
45 customary occupation, and the distance of the available
46 work from his or her the individual's residence, and
47 any other factor which it the department finds bears
48 a reasonable relation to the purposes of this
49 subsection paragraph. Work is suitable if the work
50 meets all the other criteria of this paragraph and

Page 3

1 if the gross weekly wages for the work equal or exceed
2 the following percentages of the individual's average
3 weekly wage for insured work paid to the individual
4 during that quarter of the individual's base period
5 in which the individual's wages were highest:

6 (1) One hundred percent, if the work is offered
7 during the first five weeks of unemployment.

8 (2) Seventy-five percent, if the work is offered
9 during the sixth through the twelfth week of
10 unemployment.

11 (3) Seventy percent, if the work is offered during
12 the thirteenth through the eighteenth week of
13 unemployment.

14 (4) Sixty-five percent, if the work is offered
15 after the eighteenth week of unemployment.

16 However, the provisions of this paragraph shall not
 17 require an individual to accept employment below the
 18 federal minimum wage."

19 10. Page 8, line 23, by inserting after the word
 20 "notice" the words "separation allowance, severance
 21 pay or dismissal pay".

22 11. Page 18, lines 16 and 17, by striking the
 23 words "and the determinations made as to the benefit
 24 rights of an individual".

25 12. Page 18, lines 29 and 30, by striking the
 26 words "and determinations as to benefit rights of
 27 an individual".

28 13. Page 18, by striking lines 31 through 33 and
 29 inserting in lieu thereof the words "not be used in
 30 any action or proceeding except in a contested case
 31 proceeding or judicial review under the provisions
 32 of chapter seventeen A (17A) of the Code. Information
 33 in the department's".

34 14. Page 19, lines 7 and 8, by striking the words
 35 "and determinations as to benefit rights of an
 36 individual".

37 15. Page 24, by striking lines 8 through 12 and
 38 inserting in lieu thereof the following:

39 "Sec. 30. Section ninety-six point nineteen
 40 (96.19), subsection twelve (12), Code 1979, is amended
 41 by adding the following new paragraph:

42 NEW PARAGRAPH. e. A separation allowance,
 43 severance pay or dismissal pay."

44 16. Page 25, by inserting after line 5 the
 45 following:

46 "Sec. . . . Section ninety-six point nineteen
 47 (96.19), Code 1979, is amended by adding the following
 48 new subsection:

49 NEW SUBSECTION. "Consecutive weeks of work" means
 50 a period of time in which an individual works and

Page 4

1 is paid wages for insured work for each and every
 2 week in the period equal to or exceeding fifty percent
 3 of the individual's average weekly wage during that
 4 quarter of the individual's base period in which the
 5 individual's wages were highest. However, the
 6 requirement that the weeks be consecutive shall be
 7 waived for a week in which the individual does not
 8 earn the required amount of wages due to illness,
 9 excused absence, or a stoppage of work because of
 10 weather, but the week shall not be counted as one
 11 of the required consecutive weeks."

12 17. Amend the title by striking lines 3 through
 13 7 and inserting in lieu thereof the following: "for

14 eligibility for benefits, by recomputing partial
 15 benefits, by recomputing individual weekly benefit
 16 amounts and maximum benefits as a percentage of the
 17 statewide average weekly wage to vary with the number
 18 of dependents, by reducing certain benefits from
 19 thirty-nine to twenty-six weeks, by reducing the
 20 percentage of wages credited to an individual's
 21 account, by providing thirty-nine weeks of benefits
 22 and a greater percentage of wage credits to individuals
 23 laid off due to an employer going out of business,
 24 by mandating contribution rate table three for fiscal
 25 years 1980 and 1981, by exempting severance pay from
 26 employer taxation,".

27 18. Amend the title by striking lines 17 and 18
 28 and inserting in lieu thereof the words "liability
 29 determinations, by establishing rates of contribution
 30 for government contributing employers, by allowing
 31 government employers to elect reimbursable or
 32 contributing status for a one-year period, by
 33 recomputing certain".

COMMITTEE ON NATURAL RESOURCES

Senate File 436, a bill for an act relating to the department of environmental quality's authority over public water supply systems.

Recommended Do Pass.

AMENDMENTS FILED

H-3715	S.F. 373	Kirkenslager of Des Moines
H-3716	S.F. 373	Kirkenslager of Des Moines
H-3717	S.F. 373	Tyrrell of Iowa
		Maulsby of Calhoun
		Anderson of Audubon
		Branstad of Winnebago
		Danker of Pottawattamie
		Swearingen of Keokuk
H-3718	S.F. 373	Kirkenslager of Des Moines
H-3719	S.F. 93	Johnson of Woodbury
H-3720	S.F. 438	Conlon on Muscatine
H-3721	H.F. 702	Kirkenslager of Des Moines
H-3722	H.F. 700	Hansen of O'Brien
H-3723	H.F. 727	Spear of Lee
H-3724	H.F. 700	Avenson of Fayette
H-3725	H.F. 720	Halvorson of Webster
H-3726	H.F. 732	Spear of Lee
H-3727	S.F. 264	Connolly of Dubuque

		Cochran of Webster
		Halvorson of Webster
H-3728	S.F. 373	Hullinger of Decatur
H-3729	S.F. 373	Miller of Buchanan
H-3731	H.F. 667	Pavich of Pottawattamie
H-3732	H.F. 733	Schnekloth of Scott
		Daggett of Taylor
		Bennett of Ida
		Clark of Lee
		Anderson of Audubon
H-3733	S.F. 321	Gettings of Wapello
		Walter of Pottawattamie
		Binneboese of Plymouth
		Brandt of Black Hawk
H-3734	S.F. 450	O'Kane of Woodbury
H-3735	H.F. 727	Connors of Polk
		Doyle of Woodbury
		Kirkenslager of Des Moines
H-3736	H.F. 702	Dieleman of Marion
H-3737	H.F. 668	Jesse of Polk

On motion by Halvorson of Clayton the House adjourned at 5:54 p.m. until 10:00 a.m., Thursday, April 5, 1979.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day – Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 5, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Frank L. Greenwood, pastor of the United Methodist Church, Sigourney, Iowa.

The Journal of Wednesday, April 4, 1979 was approved:

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Paul Leehey, Independence, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Stromer of Hancock, for April 5 and 6, on request of Schroeder of Pottawattamie.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-four students from Charter Oak High School, Charter Oak, Iowa, accompanied by Wally Welander. By Crabb of Crawford.

Fifty senior students from Rockwell Swaledale High School, Rockwell, Iowa, accompanied by Jim Fredericson. By Clark of Cerro Gordo.

Thirty students from Central High School, Waterloo, Iowa, accompanied by Larry Hamilton. By Representatives Rapp, Brandt, Diemer, Miller and Lind, all representing Black Hawk county.

Forty ninth grade students from Logan Junior High School, Waterloo, Iowa, accompanied by David Miller. By Rapp of Black Hawk and Brandt of Black Hawk.

Twenty-three senior students from Grand Valley School, Kellerton, Iowa, accompanied by Mr. Dunek. By Hullinger of Decatur.

Fifteen 4-H county officers from Des Moines and Henry Counties, accompanied by Les Schoffelman. By Corey of Louisa and Kirkenslager of Des Moines.

PETITION FILED

The following petition was received and placed on file:

By Danker of Pottawattamie, from twenty-four citizens favoring legislation enacted by the Iowa legislature authorizing the construction of an overpass over the tracks of the Chicago & North Western Railway at its intersection with U.S. Highway 30 on the western boundary of the city of Missouri Valley, Iowa, and authorizing the state of Iowa to pay all of Missouri Valley's share of cost of the construction.

INTRODUCTION OF BILL

House File 736, by committee on energy, a bill for an act to permit distributors and dealers to purchase fuel from other than the franchisor when motor fuel or special fuel is not available from the franchisor, and providing penalties for violations.

Read first time and **placed on the calendar**.

ORDERS OF THE DAY

Halvorson of Clayton asked and received unanimous consent for the following orders of the day: Senate File 373, House Files 667, 668, 700, 702, 716, 721, 727, 731, 732, 235 and 676.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 373, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and par-

tial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code, with report of committee recommending amendment and passage, was taken up for consideration.

Halvorson of Clayton asked and received unanimous consent to defer action on Senate File 373 and that the bill be placed on the unfinished business calendar.

SENATE FILE 252 SUBSTITUTED FOR HOUSE FILE 667

Lorenzen of Scott asked and received unanimous consent to substitute Senate File 252 for House File 667.

Senate File 252, a bill for an act relating to municipal improvement districts, was taken up for consideration.

Pavich of Pottawattamie offered the following amendment H—3740 filed by him from the floor and moved its adoption:

H—3740

- 1 Amend Senate File 252 as follows:
- 2 1. Page 1, by inserting after line 8 the
- 3 following:
- 4 "Sec. . . Section three hundred eighty-six point
- 5 three (386.3), subsection nine (9), Code 1979, is
- 6 amended to read as follows:

7 9. At any time prior to adoption of an ordinance
 8 establishing a district, the entire matter of
 9 establishing such district shall be withdrawn from
 10 council consideration if a petition objecting to
 11 establishing such district is filed with its clerk
 12 containing the signatures of at least forty percent
 13 of all owners of property within the proposed district
 14 or signatures which together represent ownership of
 15 property with an assessed value of forty percent or
 16 more of the assessed value of all property within the
 17 proposed district.

18 Sec. . Section three hundred eighty-six point
 19 four (386.4), subsection four (4), Code 1979, is
 20 amended to read as follows:

21 4. At any time prior to council amendment of the
 22 ordinance creating the district, the entire matter of
 23 amending such ordinance shall be withdrawn from council
 24 consideration if a petition objecting to amending such
 25 ordinance is filed with its clerk containing either the
 26 signatures of at least forty percent of all owners of
 27 property within the district and all property proposed
 28 to be included or signatures which together represent
 29 ownership of property with an assessed value of forty
 30 percent or more of the assessed value of all property
 31 within the district and all property proposed to be
 32 included."

Amendment H—3740 was adopted.

Lorenzen 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. 252)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum

Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Clark, B.J.	Danker	Egenes	Loneragan
Pellett	Poffenberger	Stromer	West

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 667 WITHDRAWN

Krewson of Polk asked and received unanimous consent to withdraw House File 667 from further consideration by the House.

House File 668, a bill for an act relating to the recovery of costs and attorney's fees in actions to recover payment on a check, draft, or written instrument which is written in violation of chapter seven hundred fourteen (714) of the Code, was taken up for consideration.

Jesse of Polk offered the following amendment H—3737 filed by him:

H—3737

1 Amend House File 668 as follows:
 2 1. Page 1, by striking lines 1 through 8 and
 3 inserting in lieu thereof the following:
 4 "Section 1. Section six hundred twenty-five
 5 point twenty-two (625.22), Code 1979, is amended
 6 to read as follows:
 7 625.22 ATTORNEY'S FEES. When judgment is re-
 8 covered upon a written contract containing an agree-
 9 ment to pay an attorney's fee, the court shall allow
 10 and tax as a part of the costs: a reasonable attorney's

- 11 fee to be determined by the court.
 12 1. On the first two hundred dollars or fraction
 13 thereof recovered, ten percent.
 14 2. On the excess of two hundred to five hundred
 15 dollars, five percent.
 16 3. On the excess of five hundred to one thousand
 17 dollars, three percent.
 18 4. On all sums in excess of one thousand dollars,
 19 one percent.
 20 In an action against the maker to recover payment
 21 on a check, draft, or written instrument written in
 22 violation of chapter seven hundred fourteen (714) of
 23 the Code, the plaintiff, if successful, may recover
 24 all court costs incurred, including a reasonable
 25 attorney's fee, from the maker of the check, draft,
 26 or written instrument."

Johnson of Howard offered the following amendment H—3739, to amendment H—3737, filed by him from the floor and moved its adoption:

H—3739

- 1 Amend amendment H—3737 to House File 668 as
 2 follows:
 3 Page 1, line 25, by inserting after the word
 4 "fee," the following "or an individual's cost
 5 of processing a small claims recovery such as lost
 6 time and transportation costs".

A non-record roll call was requested.

The ayes were 85, nays 1.

Amendment H—3739 was adopted.

On motion by Jesse of Polk, amendment H—3737, as amended, was adopted placing out of order amendment H—3509 filed by Johnson of Howard on March 22, 1979.

Spear of Lee offered the following amendment H—3564 filed by him and moved its adoption:

H—3564

- 1 Amend House File 668 as follows:
 2 1. Page 1, by striking lines 9 and 10.

Amendment H—3564 was adopted.

The following amendment H-3742, filed by Conlon of Muscatine from the floor was adopted by unanimous consent:

H-3742

- 1 Amend House File 668 as follows:
- 2 1. Amend the title page by striking line 1 and
- 3 inserting in lieu thereof the following: "An Act
- 4 relating to determination of attorney's fees by the
- 5 court and the recovery of costs".

Conlon 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. 668)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Arnould	Binneboese	Cusack	Kirkenslager
Lonergan	Mullins	Rapp	Stromer
Van Maanen			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cusack of Scott, for the remainder of the day, and April 6, on request of Arnould of Scott.

House File 700, a bill for an act to provide a penalty for the use of a license for the taking of fish and animals obtained by another or by giving false information, was taken up for consideration.

Avenson of Fayette offered the following amendment H—3724 filed by him and moved its adoption:

H—3724

- 1 Amend House File 700 as follows:
- 2 1. Page 1, by inserting after line 7 the
- 3 following:
- 4 "Sec. 2. Chapter one hundred ten point twenty-
- 5 four (110.24), unnumbered paragraph eight (8), Code
- 6 1979, is amended to read as follows:
- 7 No resident of the state person under sixteen
- 8 years of age shall be required to have a license to
- 9 hunt game if accompanied by his or her parent or
- 10 guardian or in company with any other competent
- 11 adult with the consent of the said the minor's
- 12 parent or guardian, if the said person accompanying
- 13 said the minor shall possess a valid hunting license,
- 14 providing, however, that there is one licensed adult
- 15 accompanying each person under sixteen years of age."
- 16 2. By renumbering as necessary.

Amendment H—3724 was adopted.

Hansen of O'Brien offered the following amendment H—3722 filed by him and moved its adoption:

H—3722

- 1 Amend House File 700 as follows:
- 2 1. Page 1, by striking lines 8 and 9.

Amendment H—3722 was adopted.

Van Maanen of Mahaska asked and received unanimous consent to temporarily defer action on House File 700.

House File 702, a bill for an act relating to the treasurer of a county or district fair society, was taken up for consideration.

Dieleman of Marion offered the following amendment H—3736 filed by him and moved its adoption:

H—3736

1 Amend House File 702 as follows:

2 1. Page 1, line 4, by striking the words "shall
3 not" and inserting in lieu thereof the words "~~shall~~
4 may".

5 2. Page 1, line 5, by striking the word
6 "treasurer," and inserting in lieu thereof the word
7 "treasurer,".

A non-record roll call was requested.

The ayes were 18, nays 56.

Amendment H—3736 lost.

Swearingen of Keokuk asked and received unanimous consent to withdraw amendment H—3661 filed by Swearingen, et al., on March 29, 1979.

Kirkenslager of Des Moines offered the following amendment H—3721 filed by him and moved its adoption:

H—3721

1 Amend House File 702 as follows:

2 1. Page 1, by striking lines 7 and 8.

Amendment H—3721 was adopted.

Kirkenslager 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. 702)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Walter	Welden	Wells
Woods	Mr. Speaker		

The nays were, 6:

Dieleman	Howell	Maulsby	Ritsema
Van Maanen	Welsh		

Absent or not voting, 8:

Chiodo	Cusack	Holt	Krewson
Lonergan	Patchett	Stromer	West

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 463 SUBSTITUTED FOR HOUSE FILE 716

Hibbs of Johnson asked and received unanimous consent to substitute Senate File 463 for House File 716.

Senate File 463, a bill for an act relating to the regulation of securities transactions, was taken up for consideration.

Hibbs of Johnson asked and received unanimous consent to suspend Rule 25 and that Jamie Wade, Superintendent of Securities, be permitted in the House chamber during consideration of Senate File 463.

Hibbs of Johnson 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 81, Clark of Lee refrained from voting.

On the question "Shall the bill pass?" (S.F. 463)

The ayes were, 85:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hörn
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lloyd-Jones	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Speär	Swearingen	Thompson
Tofte	Tyrrell	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 8:

Avenson	Davitt	Dieleman	Hinkhouse
Husak	Maulsby	O'Kane	Van Maanen

Absent or not voting, 7:

Chiodo	Clark, J.H.	Cusack	Hall
Larsen	Lonergan	Stromer	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 716 WITHDRAWN

Shimanek of Jones asked and received unanimous consent to withdraw House File 716 from further consideration by the House.

HOUSE FILE 537 WITHDRAWN

Harbor of Mills asked and received unanimous consent to withdraw House File 537 from further consideration by the House.

The House resumed consideration of **House File 700**, a bill for an act to provide a penalty for the use of a license for the taking of fish and animals obtained by another or by giving false information.

The following amendment H—3744, filed by Doyle of Woodbury from the floor, was adopted by unanimous consent:

H—3744

- 1 Amend House File 700 as follows:
- 2 1. Amend the title page, line 1, by striking
- 3 the words "to provide a penalty for" and inserting
- 4 in lieu thereof the words "relating to".
- 5 2. Amend the title page by striking lines 2 and
- 6 3 and inserting in lieu thereof the following: "the
- 7 taking of fish and animals and providing penalties."

Van Maanen 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. 700)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum

Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorezen	Lura	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 1:

Maulsby

Absent or not voting, 7:

Chiodo	Cusack	Hummel	Krewson
Lonergan	Patchett	Stromer	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

(House Files 668, 700 and 702 and Senate Files 252 and 463)

Halvorson of Clayton asked and received unanimous consent to immediately message the following bills to the Senate: House Files 668, 700 and 702 and Senate Files 252 and 463.

On motion by Halvorson of Clayton the House was recessed at 11:51 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened at 1:53 p.m., Speaker Millen in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifty-two students from Princeton High School, Mercer County, Princeton, Missouri, accompanied by Bob Adams, Betty Cridlebaugh and Nancy Cheeny. By Hullinger of Decatur and Jay of Appanoose.

Regular Calendar

House File 721, a bill for an act authorizing the use of marijuana, tetrahydrocannabinols and chemical derivatives of tetrahydrocannabinol for limited medical purposes, was taken up for consideration.

Spear of Lee offered amendment H-3585 filed by him and requested division as follows:

H-3585

1 Amend House File 721 as follows:

H-3585A

2 1. Page 1, by striking lines 1 through 10.

H-3585B

3 2. Page 3, by striking lines 14 through 17 and
4 inserting in lieu thereof the words "MARIJUANA. The
5 commissioner shall authorize the board to contract
6 with the national institute on drug abuse for receipt".

H-3585C

7 3. Page 3, by striking lines 23 through 35.

H-3585D

8 4. Page 4, by striking lines 1 through 12.

H-3585E

9 5. By renumbering sections and changing internal
10 references as made necessary by this amendment.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendments H-3585A and H-3585B.

The House stood at ease until the fall of the gavel.

The House resumed session and consideration of amendment H-3585C to House File 721, Speaker Millen in the chair.

Spear of Lee moved the adoption of amendment H-3585C.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 47, nays 45.

Amendment H—3585C was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor on request of Van Maanen of Mahaska; Larsen of Wapello on request of Thompson of Polk, both for the remainder of the day.

Spear of Lee moved the adoption of amendment H—3585D.

A non-record roll call was requested.

The ayes were 32, nays 54.

Amendment H—3585D lost.

The following amendment H—3755, filed by Menke of O'Brien from the floor, was adopted by unanimous consent:

H—3755

- 1 Amend House File 721 as follows:
- 2 1. Page 4, line 6, by striking the word
- 3 "identification" and inserting in lieu thereof the
- 4 word "investigation".

Spear of Lee moved the adoption of amendment H—3585A.

A non-record roll call was requested.

The ayes were 72, nays 14.

Amendment H—3585A was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendments H—3585B and H—3585E.

Arnould of Scott offered amendment H—3695 filed by him and requested division as follows:

H—3695

1 Amend House File 721 as follows:

H—3695A

2 1. Page 3, line 22, by inserting after the word
3 "Act." the words "If a contract is not made within
4 sixty days of the effective date of this Act, the
5 department shall obtain marijuana pursuant to
6 subsection three (3) of this section."

H—3695B

7 2. Page 4, line 12, by inserting after the word
8 "patient." the words "Dose-qualified marijuana from
9 this source shall be used while the department takes
10 action to establish a state growing program at Iowa
11 state university of science and technology."

Arnould of Scott moved the adoption of amendment H—3695A.

A non-record roll call was requested.

The ayes were 45, nays 24.

Amendment H—3695A was adopted.

Arnould of Scott asked for unanimous consent to defer action on amendment H—3695B.

Objection was raised.

Arnould of Scott moved to defer action on amendment H—3695B.

Johnson of Linn rose on a point of order and invoked Rule 37.

The Speaker ruled the point not well taken and Rule 37 not in order.

On the motion to defer amendment H—3695B, a non-record roll call was requested.

Rule 80 was invoked.

The ayes were 48, nays 45.

The motion prevailed and amendment H—3695B was deferred.

Poffenberger of Dallas moved to reconsider the vote by which amendment H—3585C was adopted by the House on April 5, 1979.

Poffenberger of Dallas asked and received unanimous consent to withdraw her motion to reconsider amendment H—3585C.

Arnould of Scott asked and received unanimous consent to withdraw amendment H—3695B.

Lind of Black Hawk offered the following amendment H—3569 filed by him:

H—3569

- 1 Amend House File 721 as follows:
- 2 1. Page 4, by inserting after line 12 the
- 3 following:
- 4 "Sec. . NEW SECTION. PRESCRIPTION CONTAINER.
- 5 1. A pharmacist, before dispensing a controlled
- 6 substance as provided in section seven (7) of this
- 7 Act or other prescription drugs, shall ask the
- 8 purchaser if the purchaser would like to request one
- 9 of the following types of prescription drug containers:
- 10 a. A child-resistant container with a safety-
- 11 closure screw-type or snap-type top.
- 12 b. A nonchild-resistant container with an ordinary
- 13 screw-type or snap-type top.
- 14 2. The pharmacist shall have available at all
- 15 times nonchild-resistant containers which are
- 16 comparable in size, design, and color to child-
- 17 resistant containers. The pharmacist shall comply
- 18 with the purchaser's request for either a child-
- 19 resistant container or a nonchild-resistant container."
- 20 2. By renumbering sections to conform to this
- 21 amendment.

Hibbs of Johnson rose on a point of order that amendment H—3569 was not germane.

The Speaker ruled the point well taken and amendment H—3569 not germane.

Lind of Black Hawk moved that the rules be suspended for the consideration of amendment H—3569.

Roll call was requested by Conlon of Muscatine and Tyrrell of Iowa.

On the question "Shall the rules be suspended for the consideration of amendment H—3569?"

The ayes were, 31:

Anderson, J.	Bina	Branstad	Byerly
Chiodo	Connors	Danker	De Groot
Dieleman	Groth	Hansen, I.	Hoffmann
Horn	Howell	Hullinger	Husak
Kirkenslager	Lind	Maulsby	Menke
Miller	O'Kane	Pavich	Pellett
Perkins	Sherzan	Tyrrell	Welden
Wells	Welsh	Woods	

The nays were, 58:

Anderson, R.	Arnould	Bennett	Binneboese
Brandt	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Davitt	Diemer	Doyle
Egenes	Evans	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Holt	Hummel
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Lloyd-Jones	Lorenzen
Lura	McKean	Mullins	Oxley
Patchett	Pelton	Poffenberger	Rapp
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Van Maanen	Walter
West	Mr. Speaker		

Absent or not voting, 11:

Avenson	Crawford	Cusack	Daggett
Jay	Jesse	Larsen	Lonergan
Norland	Pope	Stromer	

The motion lost.

Tyrrell of Iowa moved that House File 721 be rereferred to the committee on agriculture.

A non-record roll call was requested.

The ayes were 32, nays 56.

The motion lost.

Menke of O'Brien asked and received unanimous consent to reconsider the vote by which amendment H—3755 was adopted by the House and to withdraw amendment H—3755 filed by him from the floor.

Halvorson of Clayton asked and received unanimous consent to defer action on House File 721 and that House Files 721, 727, 731 and 732 be placed on the unfinished business 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 on April 5, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 16, providing for Easter recess of the General Assembly during the 1979 Session.

FRANK J. STORK, Secretary

SENATE CONCURRENT RESOLUTION 16

By Hultman and Junkins

- 1 *Be It Resolved By The Senate, The House Con-*
- 2 *curring, That when adjournment takes place on*
- 3 *Thursday, April 12, 1979, the general assembly will*
- 4 *reconvene on Tuesday, April 17, 1979, at 10:00 a.m.*
- 5 *in observance of Easter.*

Laid over under Rule 30.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday

morning, April 6, 1979. Had I been present, I would have voted "aye" on Senate File 252 and amendment H-3739 to House File 668.

POFFENBERGER of Dallas

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 235 Ways and Means

To legalize and validate the proceedings of the city of Keokuk in Lee county, in connection with the vacation of the alley in Block Ten (10), Reeves, Perry and Williams Addition to the city of Keokuk, Lee county, Iowa.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 8:00 a.m., April 4, 1979

Convened: 8:15 a.m.

Adjourned: 9:15 a.m.

Present: Shimanek, chair; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Lloyd-Jones, Mautsby, Pelton and Walter.

Absent: Patchett, ranking member; Doyle, Jesse (arrived at 8:45 a.m.), Rapp, Smalley and Welsh.

Excused: Ritsema, vice-chair; Johnson of Howard and Lonergan.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 447, a bill for an act relating to pipelines by establishing construction standards for pipelines to protect soil conservation and drainage structures and practices and allowing land surveys by pipeline companies after notice.

Recommended **Do Pass**.

COMMITTEE ON COUNTY GOVERNMENT

Senate File 321, a bill for an act to increase the interest rate payable to redeem real estate sold for delinquent taxes.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 422, a bill for an act relating to the laying of gas mains and water mains along highways.

Recommended **Do Pass**.

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 361, a bill for an act increasing the share of the surviving spouse under the intestate succession laws.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 423, a bill for an act relating to travel expenses and salaries for members of the judicial branch of government.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 461, a bill for an act to legalize proceedings taken by the board of supervisors of Poweshiek county relating to the sale of certain properties.

Recommended **Do Pass**.

Fiscal note is not required.

Senate File 462, a bill for an act relating to juvenile justice provisions of the Code.

Recommended Do Pass.

Fiscal note is not required.

Senate File 475, a bill for an act to legalize the proceeding of any county in the state which sold certain county property without offering the property for sale at a public auction.

Recommended Do Pass.

Fiscal note is not required.

Senate File 476, a bill for an act to legalize the proceedings of the Davenport community school district relating to the sale of certain property.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON STATE GOVERNMENT

Senate File 264, a bill for an act relating to the administration and financing for elections by providing for the appointment and compensation of precinct election officials, the time when polling places are to be closed, the availability and delivery of absentee ballots to certain persons, and the establishment and administration of the income tax checkoff.

Recommended Amend and Do Pass.

H-3738

- 1 Amend Senate File 264 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 1 and inserting in
- 4 lieu thereof the following:
- 5 "Section 1. Section thirty-nine point three (39.3),
- 6 Code 1979, is amended by adding the following new
- 7 subsection:
- 8 NEW SUBSECTION. "Public measure" or "ballot issue"
- 9 means a question, other than the question of who is
- 10 to be elected to a public office, which is placed
- 11 before the voters of the state by the state
- 12 commissioner, or is placed before the voters of a
- 13 political subdivision by the commissioner.
- 14 Sec. 2. Section forty-three point sixty-six
- 15 (43.66), Code 1979, is amended to read as follows:
- 16 43.66 WRITE-IN CANDIDATES. The fact that the

17 candidate who receives the highest number of votes
18 cast for any party's nomination for an office to which
19 section 43.52 or 43.65 is applicable is a person whose
20 name was not printed on the official primary election
21 ballot shall not affect the validity of the person's
22 nomination as a candidate for that office in the
23 general election. However, if there is no candidate
24 on the official primary ballot of a political party
25 for nomination to a particular office, a write-in
26 candidate may obtain the party's nomination to that
27 office in the primary if the candidate receives a
28 number of votes equal to at least thirty-five percent
29 of the total vote cast for all of that party's
30 candidates for that office in the last preceding
31 primary election for which the party had candidates
32 on the ballot for that office. If there have been
33 no candidates from a political party for a seat in
34 the general assembly since the most recent
35 redistricting of the general assembly, a write-in
36 candidate shall be considered nominated who receives
37 a number of votes equal to at least thirty-five percent
38 of the total votes cast, at the last preceding primary
39 election in the precincts which currently constitute
40 the general assembly district, for all of that party's
41 candidates for representative in the congress of the
42 United States. When two or more nominees are required,
43 the division procedure prescribed in section 43.52
44 shall be applied to establish the minimum number of
45 write-in votes necessary for nomination. If the
46 primary is inconclusive, the necessary nominations
47 shall be made in accordance with section 43.78,
48 subsection 1.

49 Sec. 3. Section forty-three point seventy-eight
50 (43.78), subsection one (1), paragraph c, Code 1979,

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1 is amended to read as follows:
2 c. For senator or representative in the general
3 assembly, by the party precinct committee members
4 whose precincts lie within the senatorial or
5 representative district involved, who shall be convened
6 or reconvened as appropriate by the state party
7 chairperson. The party's state constitution or bylaws
8 may allow the voting strength of each precinct
9 represented at such a convention to be made shall
10 be proportionate to the vote cast for the party's
11 candidate for the office in question president of
12 the United States or governor, as the case may be,
13 in the respective precincts at the last general
14 election for that office.

15 Sec. 4. Section forty-three point eighty-eight

16 (43.88), Code 1979, is amended by adding the following
17 new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Nominations certified
19 to the proper official under this section shall be
20 accompanied by an affidavit executed by the nominee
21 in substantially the form required by section forty-
22 three point sixty-seven (43.67) of the Code.

23 Sec. 5. Chapter forty-three (43), Code 1979, is
24 amended by inserting after section forty-three point
25 eighty-eight (43.88) the following new section:

26 NEW SECTION. POLITICAL PARTY PRECINCT CAUCUSES.

27 1. Delegates to county conventions of political
28 parties and party committee members shall be elected
29 at precinct caucuses held not later than the second
30 Monday in February of each even-numbered year. The
31 state central committee of each political party shall
32 set the date for the caucuses. The county chairperson
33 of each political party shall issue the call for the
34 caucuses. The county chairperson shall file with
35 the commissioner the meeting place of each precinct
36 caucus at least seven days prior to the date of holding
37 the caucus.

38 2. The delegates shall select from among those
39 present at a precinct caucus a chairperson and a
40 secretary who shall forthwith certify to the county
41 central committee and the county commissioner the
42 names of those elected as party committee members
43 and delegates to the county convention.

44 3. The central committee of each political party
45 shall notify the delegates and committee members so
46 elected and certified of their election and of the
47 time and place of holding the county convention.
48 The county conventions shall be held either preceding
49 or following the primary election but no later than
50 ten days following the primary election and shall

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1 be held on the same day throughout the state.

2 Sec. 6. Section forty-three point ninety (43.90),
3 Code 1979, is amended to read as follows:

4 43.90 DELEGATES. The county convention shall
5 be composed of delegates elected at the last preceding
6 precinct caucus. Delegates shall be persons who are
7 or will by the date of the next general election
8 become eligible electors and who are residents of
9 the precinct. The number of delegates from each
10 voting precinct shall be determined by a ratio adopted
11 by the respective party county central committees,
12 and a statement designating the number from each
13 voting precinct in the county shall be filed by such

14 committee not later than the time the list of precinct
 15 caucus meeting places required by section ~~43.4~~ five
 16 (5) of this Act is filed in the office of the
 17 commissioner. If the required statement is not filed,
 18 the commissioner shall fix the number of delegates
 19 from each voting precinct.

20 Sec. 7. Section forty-three point ninety-two
 21 (43.92), Code 1979, is amended to read as follows:
 22 43.92 DATE OF CAUCUS PUBLISHED. The date, time,

23 and place of each precinct caucus of a political party
 24 shall be published at least twice in at least one
 25 newspaper of general circulation in the precinct.
 26 ~~Such~~ The first publication shall be made not more
 27 than ~~thirty~~ fifteen days and ~~not nor~~ less than five
 28 seven days before the date of the caucus and the
 29 second shall be made not more than seven days before
 30 and not later than the date of the caucus. Such
 31 publication shall also state in substance that each
 32 voter affiliated with the specified political party
 33 may attend the precinct caucus. Publication in a
 34 news item or advertisement in such newspaper shall
 35 constitute publication for the purposes of this
 36 section. The cost of such publication, if any, shall
 37 be paid by the political party.

38 Sec. 8. Section forty-three point one hundred
 39 seventeen (43.117), Code 1979, is amended to read
 40 as follows:

41 43.117 PLURALITY VOTE NOMINATES AND ELECTS. A
 42 plurality shall nominate the party candidate for all
 43 offices filled by elections authorized by section
 44 43.112, and a plurality shall elect the precinct
 45 ~~committeemen~~ committee members.

46 Sec. 9. Section forty-four point thirteen (44.13),
 47 Code 1979, is amended to read as follows:

48 44.13 CERTIFICATES IN MATTER OF VACANCIES. The
 49 certificates of nominations made to supply such
 50 vacancies shall state, in addition to the facts and and

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1 candidate's affidavit required in an original
 2 certificate, the name of the original nominee, the
 3 date of his death or declination of nomination, or
 4 the fact that the former nomination has been held
 5 insufficient or inoperative, and the measures taken
 6 in accordance with the above requirements for filling
 7 a vacancy, and shall be signed and sworn to by the
 8 presiding officer and secretary of the convention,
 9 or caucus, or by the chairman and secretary of the
 10 committee, as the case may be.

11 Sec. 10. Section forty-five point one (45.1),
 12 Code 1979, is amended to read as follows:

13 45.1 NOMINATIONS BY PETITION. Nominations for
 14 candidates for state offices may be made by nomination
 15 paper or papers signed by not less than one thousand
 16 eligible electors of the state; for candidates for
 17 offices filled by the voters of a county, district
 18 or other division by such papers signed by eligible
 19 electors residing in the county, district or division
 20 equal in number to at least two percent of the total
 21 vote received by all candidates for president of the
 22 United States or governor, as the case may be, at
 23 the last preceding general election in such county,
 24 district or division; and for township, city or ward,
 25 by such papers signed by ~~not less than twenty five~~
 26 eligible electors, ~~residents of such township, city~~
 27 ~~or ward who are (or would be, if registered) entitled~~
 28 to vote to fill the office in question, equal in
 29 number to at least two percent of those who voted
 30 to fill the office in question at the last preceding
 31 election at which the office was on the ballot, but
 32 in no case fewer than ten persons.

33 Sec. 11. Section forty-eight point two (48.2),
 34 Code 1979, is amended by striking the section and
 35 inserting in lieu thereof the following:

36 48.2 REGISTRATION PROCEDURE.

37 1. A person who is an eligible elector may register
 38 to vote by one of the following methods:

39 a. By personally submitting a completed voter
 40 registration form to the commissioner, or an employee
 41 of that officer, in the eligible elector's county
 42 of residence.

43 b. By personally completing a voter registration
 44 form with a mobile registrar according to the
 45 provisions of section forty-eight point twenty-seven
 46 (48.27) of the Code.

47 c. By submitting a completed postcard voter
 48 registration form to the commissioner by one of the
 49 following procedures:

50 (1) By United States mail, postage paid by the

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1 sender.

2 (2) In person, either by the registrant or by
 3 the county chairperson of a political party as defined
 4 in section forty-three point two (43.2) of the Code
 5 or of a nonparty political organization, or the
 6 chairperson of the candidate's committee as defined
 7 by section fifty-six point two (56.2) of the Code
 8 designated by a candidate nominated under chapter
 9 forty-five (45) of the Code. However, a chairperson
 10 may designate an individual to act in lieu of that
 11 chairperson for the purpose of this subparagraph.

12 A county or committee chairperson or the
13 chairperson's designee, or anyone who accepts delivery
14 of a completed postcard voter registration form,
15 either from the person who is intending to be
16 registered by this procedure or from someone else,
17 and who willfully fails to deliver or delays in
18 delivering the completed postcard voter registration
19 form to the commissioner and thereby causes that
20 person to be ineligible to vote in an election commits
21 a public offense punishable as a simple misdemeanor.

22 d. By the method prescribed in section fifty-three
23 point thirty-eight (53.38) of the Code, if the
24 registrant is entitled to vote according to the
25 provisions of sections fifty-three point thirty-seven
26 (53.37) through fifty-three point fifty-two (53.52)
27 of the Code.

28 2. A person who is an eligible elector in all
29 respects except age may, at any time during the six
30 months next preceding his or her eighteenth birthday,
31 register to vote.

32 3. An improperly addressed or delivered
33 registration form shall be forwarded to the appropriate
34 commissioner within five working days after it is
35 received by any other official.

36 Sec. 12. Section forty-eight point three (48.3),
37 Code 1979, is amended by striking the section and
38 inserting in lieu thereof the following:

39 48.3 EFFECTIVE DATE OF REGISTRATION.

40 1. The effective date of a registration to vote
41 shall be:

42 a. The tenth day after the date of registration
43 if the registration was received pursuant to section
44 forty-eight point two (48.2), subsection one (1),
45 paragraph a or b of the Code, except that the effective
46 date shall be eleven days after the date of
47 registration if a registration taken by a mobile
48 deputy registrar is completed after five o'clock p.m.
49 or received after six o'clock p.m. and before twelve
50 o'clock midnight on the tenth day preceding an election

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1 occurring in the precinct where the registrant lives.

2 b. The twenty-fifth day after the date of the
3 postmark on the registration card or the envelope
4 in which the card was enclosed, or the twenty-fifth
5 day after the day the registration was delivered in
6 person to the commissioner, if the registration was
7 received pursuant to section forty-eight point two
8 (48.2), subsection one (1), paragraph c of the Code.

9 2. Subsection one (1) of this section

10 notwithstanding, the effective date of a registration
 11 shall be the eighteenth birthday of the registrant
 12 if that date is later than the date specified in
 13 paragraph a or paragraph b of subsection one (1) of
 14 this section.

15 3. The commissioner shall maintain records of
 16 new voter registrations so that, when a person
 17 registers at a time when a pending election will occur
 18 before that registration takes effect under subsection
 19 one (1) or two (2) of this section, the record will
 20 clearly indicate that the newly-registered person
 21 is not qualified to vote in the pending election.

22 Sec. 13. Section forty-eight point five (48.5),
 23 subsection two (2), paragraph d, Code 1979, is amended
 24 by striking the paragraph.

25 Sec. 14. Section forty-eight point five (48.5),
 26 subsection two (2), paragraph e, Code 1979, is amended
 27 to read as follows:

28 e. A periodic updating of the registration lists
 29 showing all additions, changes and deletions since
 30 the previous updating, shall be provided at least once
 31 each fourteen days except during the two weeks prior
 32 to the close of registration before any election,
 33 when it shall be provided daily if requested. Each
 34 requester under this paragraph shall receive the
 35 updating data at the same time, which shall be
 36 determined by the registrar, but in an order and form
 37 specified by the requester. Each requester, ~~except~~
 38 ~~those who obtained the initial list of qualified~~
 39 ~~electors under paragraph "d" of this subsection,~~ shall
 40 pay the cost of duplicating the updating data before
 41 receiving a copy thereof.

42 Sec. 15. Section forty-eight point five (48.5),
 43 subsection three (3), Code 1979, is amended to read
 44 as follows:

45 3. Neither the duplicate registration records
 46 open to public inspection nor any list obtained under
 47 subsection 2 shall be used for any purpose of ~~any~~
 48 ~~kind or nature,~~ other than to request a registrant's
 49 vote or any other bona fide political purpose, for
 50 selection of jury panels under state or federal law,

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1 or to facilitate communication by elected officials
 2 with their constituents. A person who uses voter
 3 registration records or lists in violation of this
 4 subsection is guilty of a serious misdemeanor. The
 5 commissioner or registrar shall keep a list of the
 6 name, address, and telephone number, and social
 7 security number of each person who copies or obtains
 8 copies of the registration lists. Any person that

9 uses such lists in violation of this section shall,
 10 upon conviction, be guilty of a serious misdemeanor,
 11 and shall require that each such person, before
 12 receiving a list or being permitted to examine voter
 13 registration records, sign a statement in substantially
 14 the following form:

15 Intended use of list _____
 16 _____

17 I am aware that Iowa law prohibits the use of voter
 18 registration records or lists for any purpose other
 19 than to request a registrant's vote or any other bona
 20 fide political purpose, for selection of jury lists,
 21 or to facilitate communication by elected officials
 22 with their constituents, and that violation of this
 23 prohibition is a serious misdemeanor punishable by
 24 not more than one year in jail, a fine of up to one
 25 thousand dollars, or both.

26
 27 _____ (signature).

28 Sec. 16. Section forty-eight point six (48.6),
 29 unnumbered paragraph two (2), Code 1979, is amended
 30 by striking the unnumbered paragraph.

31 Sec. 17. Section forty-eight point seven (48.7),
 32 Code 1979, is amended by striking the section and
 33 inserting in lieu thereof the following:

34 48.7 NOTICE OF CHANGE OF NAME OR ADDRESS.

35 1. A qualified elector may record a legal change
 36 of name or a change of address, for voter registration
 37 purposes, by one of the following methods:

38 a. The qualified elector may submit to the
 39 commissioner a written notice of the change of name
 40 or address, bearing the elector's signature. Upon
 41 receipt of the notice, the commissioner shall change
 42 the registration records accordingly and the change
 43 shall be reflected in the election registers prepared
 44 for the next election held ten or more days after
 45 receipt of the qualified elector's notice. If the
 46 notice received by the commissioner does not contain
 47 the information necessary to properly update the
 48 registration records, the commissioner shall
 49 immediately send notice to the elector, by forwardable
 50 mail directed to the elector's last known address,

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1 that the elector's registration is defective. The
 2 commissioner's notice shall advise the elector of
 3 the corrections necessary.

4 b. A qualified elector may record a change of
 5 name or address, or both, on election day at the

6 polling place for the precinct in which the elector
7 currently resides, if the elector's name or former
8 name appears on the election register of that polling
9 place for the election being held that day. The
10 precinct election officials shall furnish such a
11 qualified elector a postcard registration form, as
12 prescribed for use under section forty-eight point
13 two (48.2), subsection one (1), paragraph c of the
14 Code. The elector shall complete the form and submit
15 it to the precinct election officials, who shall
16 return it to the commissioner with the election
17 supplies. If the qualified elector's former address
18 and new address are in different counties, the
19 registration form completed by the qualified elector
20 shall be forwarded to the commissioner of the elector's
21 current county of residence by the commissioner
22 conducting the election.

23 2. The commissioner shall record a change of
24 address for a qualified elector, without the necessity
25 of action by the elector, in any of the following
26 circumstances in which the elector's mailing address
27 is changed but the elector's place of residence has
28 not actually changed:

29 a. Annexation of territory to a city. When a
30 city annexes territory, the city clerk shall furnish
31 the commissioner a detailed map of the annexed
32 territory. The commissioner shall change the
33 registration of persons residing in that territory
34 to reflect the annexation and the city precinct to
35 which each of those persons is assigned. If the
36 commissioner cannot determine the names and addresses
37 of the persons affected by the annexation, the
38 commissioner shall send each person who may be involved
39 a letter informing that person that his or her
40 registration may be in error, and requesting that
41 each person provide the commissioner the information
42 necessary to correct the registration records.

43 b. Change of official street name or house or
44 building number by a city. When the city changes
45 the name of a street or the number of a house or other
46 building in which an individual resides, the city
47 clerk shall inform the commissioner of the change,
48 and the commissioner shall change the registration
49 of each person affected.

50 c. Change of rural route designation of the

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1 residence of a qualified elector. The commissioner
2 shall request each postmaster in the county to inform
3 the commissioner of each change of rural route
4 designation and the names of the persons affected,

5 and shall change the registration of each such person
6 as appropriate.

7 Sec. 18. Section forty-eight point eight (48.8),
8 unnumbered paragraph one (1), Code 1979, is amended
9 to read as follows:

10 The county commissioner of registration shall
11 prepare an election register for each county precinct
12 between the time of the closing of registration and
13 election day. The election register shall be a copy
14 of the list of all qualified electors of the precinct
15 and shall be in a form prescribed by the state
16 ~~commissioner of elections voter registration~~
17 ~~commission.~~

18 Sec. 19. Section forty-eight point ten (48.10),
19 Code 1979, is amended by striking the section and
20 inserting in lieu thereof the following:

21 48.10 DECEASED PERSONS—RECORD. The state
22 registrar of vital statistics shall transmit or cause
23 to be transmitted to the state registrar of voters,
24 on or before the tenth day of each month, a certified
25 list of all persons seventeen and one-half years of
26 age and older in the state whose deaths have been
27 reported to the records and statistics division of
28 the department of health since the previous list of
29 decedents was certified to the state registrar of
30 voters. The list shall be submitted according to
31 the specifications of the state registrar of voters,
32 who shall determine whether each listed decedent was
33 registered to vote in this state. If the decedent
34 was registered in a county which uses its own data
35 processing facilities for voter registration record-
36 keeping, the registrar shall notify the commissioner
37 in that county who shall cancel the decedent's
38 registration. If the decedent was registered in a
39 county for which voter registration record-keeping
40 is performed under contract by the registrar, the
41 registrar shall immediately cancel the registration
42 and notify the commissioner of the county in which
43 the decedent was registered to vote of the
44 cancellation.

45 Sec. 20. Section forty-eight point eleven (48.11),
46 Code 1979, is amended by striking the section and
47 inserting in lieu thereof the following:

48 48.11 WHEN COMMISSIONER'S OFFICE TO BE OPEN.
49 The office of the commissioner shall be open from
50 eight o'clock a.m. until at least six o'clock p.m.

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1 on the tenth day prior to each general election, and
2 also during the same hours on the tenth day prior
3 to any other election if so requested by a petition

4 signed by twenty-five or more eligible electors of
 5 the political subdivision in which the election is
 6 being held and filed in the commissioner's office
 7 at least fifteen days prior to that election.

8 Sec. 21. Section forty-eight point twelve (48.12),
 9 Code 1979, is amended to read as follows:

10 48.12 REGISTRATION RECEIPT. A receipt of
 11 registration shall be given or sent to each person
 12 who registers under this chapter. ~~If any person~~
 13 ~~registers to vote while registration is closed~~
 14 ~~preceding any election, the commissioner shall maintain~~
 15 ~~a record of the registration so as to clearly indicate~~
 16 ~~that it will not take effect until the day after~~
 17 ~~the election for which registration is closed and~~
 18 ~~that the person is registered and qualified to vote~~
 19 ~~in any election held on or after that date. The~~
 20 ~~receipt shall state the date on which the registration~~
 21 ~~was received, and shall summarize the provisions of~~
 22 ~~section forty-eight point three (48.3) of the Code~~
 23 ~~with respect to effective dates of registration.~~
 24 ~~Within five working days after receiving a registration~~
 25 ~~in any manner provided by section forty-eight point~~
 26 ~~two (48.2), subsection one (1), paragraph c of the~~
 27 ~~Code, the commissioner shall send the registrant a~~
 28 ~~permanent receipt of the registration by first class~~
 29 ~~mail marked "do not forward". The permanent receipt~~
 30 ~~shall state the date when the registration is~~
 31 ~~effective. If the receipt is returned by the postal~~
 32 ~~service the commissioner shall treat the registration~~
 33 ~~as prescribed by section forty-eight point thirty-~~
 34 ~~one (48.31), subsection seven (7) of the Code.~~

35 Sec. 22. Chapter forty-eight (48), Code 1979,
 36 is amended by inserting after section forty-eight
 37 point twelve (48.12) the following new section:

38 **NEW SECTION. TEMPORARY POSTCARD REGISTRATION**
 39 **RECEIPT.**

40 1. The postcard voter registration form shall
 41 be printed with an easily detachable temporary receipt
 42 form, which shall bear statements to the effect that:

43 a. The registrant may not be able to vote if he
 44 or she fails to receive a permanent receipt by mail
 45 from the commissioner.

46 b. The registrant should contact the commissioner
 47 if a permanent receipt is not timely received by the
 48 registrant.

49 c. The temporary receipt is not proof of registra-
 50 tion.

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1 2. The person who co-signs a voter registration
 2 form pursuant to section forty-eight point six (48.6),

3 subsection nine (9) of the Code shall also sign the
4 temporary receipt required by this section.

5 Sec. 23. Section forty-eight point fifteen (48.15),
6 Code 1979, is amended by striking the section and
7 inserting in lieu thereof the following:

8 48.15 CHALLENGES OF VOTER REGISTRATIONS.

9 1. A person may challenge the registration to
10 vote of any other person, by filing an individual
11 challenge in writing with the commissioner of the
12 county in which the person challenged is registered.
13 The written challenge need not be in detail, but must
14 allege one or more reasons why, under law, the
15 registration of the person challenged should not have
16 been accepted or should be canceled.

17 2. A challenge of a person's registration filed
18 less than seventy days prior to a regularly scheduled
19 election need not be processed by the commissioner
20 prior to that election unless the registration, change
21 of name or change of address has been recorded within
22 twenty days prior to the date of the challenge.

23 3. The commissioner shall immediately give five
24 days' notice of a hearing, by certified mail, to the
25 person whose registration is challenged and to the
26 challenger. The notice shall set forth the reason
27 for the challenge as stated by the challenger. The
28 person challenged may either appear in person at the
29 hearing, or respond in writing addressed to the
30 commissioner and delivered by mail or otherwise prior
31 to the time set for the hearing. However, if the
32 person challenged notifies the commissioner prior
33 to the date set for the hearing that the person wishes
34 to appear in person but will be unable to do so on
35 the date specified, the commissioner may reschedule
36 the hearing. On the basis of the evidence presented
37 by the challenger and the challenged elector, the
38 commissioner shall either cancel the registration
39 of the challenged elector or reject the challenge.
40 Either party may appeal to the district court of the
41 county in which the challenge is made, and the decision
42 of the court shall be final.

43 Sec. 24. Section forty-eight point thirty (48.30),

44 Code 1979, is amended to read as follows:

45 48.30 NOTIFICATION OF CHANGES IN REGISTRATION.

46 The clerk of the district court shall promptly notify
47 the county commissioner of registration of changes
48 of name and of convictions of infamous crimes or
49 felonies, of legal declarations of incompetence made
50 after a proceeding held pursuant to section 229.27,

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1 and of diagnosis of severe or profound mental
 2 retardation of persons of voting age. The clerk of
 3 the district court shall also notify the ~~county~~
 4 commissioner of registration of the restoration of
 5 citizenship of a person who has been convicted of
 6 an infamous crime or felony and of the finding that
 7 a person is of good mental health. The notice will
 8 not restore voter registration. The ~~county~~ com-
 9 missioner of registration shall notify the person
 10 whose citizenship has been restored or who has been
 11 declared to be in good mental health that his or her
 12 registration to vote was canceled and he or she must
 13 register again to become a qualified elector.

14 Sec. 25. Section forty-eight point thirty-one
 15 (48.31), subsection one (1), Code 1979, is amended
 16 to read as follows:

17 1. The elector fails to vote once in the last
 18 ~~preceding~~ next ~~succeeding~~ four consecutive calendar
 19 years after the elector's most recent registration
 20 or change of name, address or party affiliation, or
 21 after the elector most recently voted.

22 Sec. 26. Section forty-eight point thirty-one
 23 (48.31), subsection three (3), Code 1979, is amended
 24 by striking the subsection.

25 Sec. 27. Section forty-nine point eleven (49.11),
 26 subsection two (2), Code 1979, is amended to read
 27 as follows:

28 2. Divide any precinct permanently established
 29 under this section which contains all or any parts
 30 of two or more mutually exclusive political
 31 subdivisions, each of which is independently electing
 32 one or more officers on the same date, into two or
 33 more temporary precincts and designate a polling place
 34 for each. For the purpose of this subsection, a
 35 director district within a school district is not
 36 a political subdivision.

37 Sec. 28. Section forty-nine point twelve (49.12),
 38 Code".

39 2. Page 1, by inserting after line 20 the following
 40 new sections:

41 "Sec. 29. Chapter forty-nine (49), Code 1979,
 42 is amended by inserting after section forty-nine point
 43 thirteen (49.13) the following new section:

44 **NEW SECTION. SUBSTITUTE PRECINCT ELECTION**
 45 **OFFICIALS.**

46 1. The commissioner may appoint substitute precinct
 47 election officials as alternates for election board
 48 members. A majority of the original election board
 49 members shall be present at the precinct polling place
 50 at all times; at partisan elections such majority

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1 shall include at least one precinct election official
2 from each political party. If the chairperson leaves
3 the polling place, he or she shall designate another
4 member of the board to serve as chairperson until
5 the chairperson returns. The responsibilities and
6 duties of a precinct election official present at
7 the time the polling place was opened on the day of
8 an election may be assumed at any later time that
9 day by a substitute appointed as an alternate. The
10 substitute shall serve either for the balance of that
11 election day or for any shorter period of time the
12 commissioner may designate.

13 2. Substitute precinct election officials shall
14 be appointed and shall serve in accordance with
15 sections forty-nine point twelve (49.12), forty-nine
16 point thirteen (49.13), forty-nine point fifteen
17 (49.15) and forty-nine point sixteen (49.16) of the
18 Code, and shall receive compensation as provided by
19 sections forty-nine point nineteen (49.19), forty-
20 nine point twenty (49.20) and forty-nine point one
21 hundred twenty-five (49.125) of the Code. Upon
22 arriving at the polling place and prior to performing
23 any official duty, a substitute precinct election
24 official shall take the oath required by section
25 forty-nine point seventy-five (49.75) of the Code.

26 3. The commissioner shall not employ substitute
27 precinct election officials in a partisan election
28 unless:

29 a. The election board panel drawn up pursuant
30 to section forty-nine point fifteen (49.15) of the
31 Code contains the names of a sufficient number of
32 political party designees to permit appointment of
33 both the regular precinct election officials and any
34 substitute precinct election officials from that
35 panel; or

36 b. The commissioner has informed the county
37 chairpersons of the political parties referred to
38 in section forty-nine point thirteen (49.13),
39 subsection two (2) of the Code, thirty days prior
40 to the date of the election, of intent to appoint
41 substitute precinct election officials and has allowed
42 ten days thereafter for the respective county
43 chairpersons to provide additional names of persons
44 from whom the substitute precinct election officials
45 shall be appointed. If a county chairperson fails
46 to provide additional names after being so notified,
47 the commissioner may appoint persons known to be
48 members of the appropriate political party or parties.

49 Sec. 30. Section forty-nine point fifteen (49.15),
50 Code 1979, is amended to read as follows:

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1 49.15 COMMISSIONER TO DRAW UP ELECTION BOARD
2 PANEL. Not less than twenty days before each primary
3 election, the commissioner shall draw up for each
4 precinct an election board panel from which members
5 of the precinct election board shall be appointed
6 for each election held in the precinct during the
7 ensuing two years. Each panel shall include members
8 of each of the political parties referred to in section
9 49.13, whose names may be designated by the county
10 chairpersons of each of these political parties not
11 less than thirty forty days prior to each primary
12 election. The commissioner may place on the election
13 board panel names of persons known by the commissioner
14 to be members of these political parties, if the
15 respective county chairpersons fail to designate a
16 sufficient number of names, and may also add names
17 of persons, whether or not they are members of either
18 of these political parties, who have advised the
19 commissioner they are willing to serve on the election
20 board for elections in which no candidates appear
21 on the ballot under the heading of either of these
22 political parties, or ~~whom~~ who either the city council
23 of a city of three thousand five hundred or less
24 population or a school board has advised the
25 commissioner at least thirty forty days before each
26 primary election are willing to serve without pay
27 at elections conducted for that school district or
28 city, as the case may be, during the tenure of the
29 election board panel on which these names are
30 included."

31 3. Page 1, by striking lines 25, 26 and 27 and
32 inserting in lieu thereof the words "an hourly rate
33 which shall be the hourly rate of pay established
34 for pay grade seven, step one, under the state merit
35 system, while engaged in the".

36 4. Page 2, by inserting after line 22 the following
37 new section:

38 "Sec. 33. Section forty-nine point one hundred
39 four (49.104), Code 1979, is amended by adding the
40 following new subsection:

41 NEW SUBSECTION. Any persons expressing an interest
42 in a ballot issue to be voted upon at an election
43 except a general or primary election. Any such person
44 shall file a notice of intent to serve as an observer
45 with the commissioner prior to election day. If more
46 than three such persons file a notice of intent with
47 respect to ballot issues at any election, the
48 commissioner shall appoint from those submitting a
49 notice of intent three persons to serve as observers.
50 The appointees, whenever possible, shall include both

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1 opponents and proponents of the ballot issues."

2 5. Page 2, by inserting after line 35 the following
3 new sections:

4 "Sec. 35. Section fifty point seventeen (50.17),
5 Code 1979, is amended by striking the section and
6 inserting in lieu thereof the following:

7 50.17 RETURN OF ELECTION MATERIALS. All precinct
8 election registers, all ballots, the signed and
9 attested tally sheets, and all other election supplies
10 required by law to be returned to the commissioner
11 from the respective precinct polling places shall
12 be delivered to the commissioner by one of the precinct
13 election officials, designated for that purpose by
14 the commissioner, not later than noon of the day
15 following the election.

16 Sec. 36. Section fifty point twenty (50.20), Code
17 1979, is amended to read as follows:

18 50.20 NOTICE OF NUMBER OF CHALLENGED BALLOTS.

19 The commissioner shall compile a list of the number
20 of challenged ballots cast under section 49.81 in
21 each precinct. The list shall be made available to
22 the public as soon as possible, but in no case later
23 than nine o'clock a.m. on the second day following
24 the election. Any elector may examine the list during
25 normal office hours, and may also examine the affidavit
26 envelopes bearing the ballots of challenged electors
27 until the reconvening of the special precinct board
28 as required by this chapter. Only those persons so
29 permitted by section 53.23, subsection 4, shall have
30 access to the affidavits ballot envelopes while that
31 board is in session. Any elector may present written
32 statements or documents, supporting or opposing the
33 counting of any challenged ballot, at the
34 commissioner's office until the reconvening of the
35 special precinct board.

36 Sec. 37. Section fifty point twenty-three (50.23),
37 Code 1979, is amended to read as follows:

38 50.23 MESSENGERS FOR MISSING TALLY LISTS. The
39 commissioner shall send messengers for all tally lists
40 and other election materials not received in the
41 commissioner's office by noon of the day following
42 the election the time required by section fifty point
43 seventeen (50.17) of the Code. The expense of securing
44 such tally lists shall be paid by the county.

45 Sec. 38. Chapter fifty (50), Code 1979, is amended
46 by adding the following new section:

47 NEW SECTION. GENERAL RECOUNT PROVISIONS.

48 1. The county board of canvassers shall order
49 a recount of the votes cast for a particular office
50 or nomination in one or more specified election

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1 precincts in that county if a written request therefor
2 is made not later than five o'clock p.m. on the third
3 day following the county board's canvass of the
4 election in question. The request shall be filed
5 with the commissioner of that county, or with the
6 commissioner responsible for conducting the election
7 if section forty-seven point two (47.2), subsection
8 two (2) of the Code is applicable, and shall be signed
9 by either of the following:

10 a. A candidate for that office or nomination whose
11 name was printed on the ballot of the precinct or
12 precincts where the recount is requested.

13 b. Any other person who receives votes for that
14 particular office or nomination in the precinct or
15 precincts where the recount is requested and who is
16 legally qualified to seek and to hold the office in
17 question.

18 This section does not apply to an election held
19 by a city which is not the final election for the
20 office in question.

21 2. The candidate requesting a recount under this
22 section shall post a bond, unless the abstracts
23 prepared pursuant to section fifty point twenty-four
24 (50.24) of the Code, or section forty-three point
25 forty-nine (43.49) of the Code in the case of a primary
26 election, indicate that the difference between the
27 total number of votes cast for the apparent winner
28 and the total number of votes cast for the candidate
29 requesting the recount is less than the greater of
30 fifty votes or one percent of the total number of
31 votes cast for the office or nomination in question.
32 Where votes cast for that office or nomination were
33 canvassed in more than one county, the abstracts
34 prepared by the county boards in all of those counties
35 shall be totaled for purposes of this subsection.
36 If a bond is required, it shall be filed with the
37 state commissioner for recounts involving a state
38 office, including a seat in the general assembly,
39 or a seat in the United States Congress, and with
40 the commissioner responsible for conducting the
41 election in all other cases, and shall be in the
42 following amount:

43 a. For an office filled by the electors of the
44 entire state, one thousand dollars.

45 b. For United States representative, five hundred
46 dollars.

47 c. For senator in the general assembly, three
48 hundred dollars.

49 d. For representative in the general assembly,
50 one hundred fifty dollars.

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1 e. For an office filled by the electors of an
2 entire county having a population of fifty thousand
3 or more, two hundred dollars.

4 f. For any elective office to which paragraphs
5 a through e of this subsection are not applicable,
6 one hundred dollars.

7 After all recount proceedings for a particular
8 office are completed and the official canvass of votes
9 cast for that office is corrected or completed pursuant
10 to subsections five (5) and six (6) of this section,
11 if necessary, any bond posted under this subsection
12 shall be returned to the candidate who requested the
13 recount if the apparent winner before the recount
14 is not the winner as shown by the corrected or
15 completed canvass. In all other cases, the bond shall
16 be deposited in the general fund of the state if filed
17 with the state commissioner or in the election fund
18 of the county with whose commissioner it was filed.

19 3. The recount shall be conducted by a board which
20 shall consist of:

21 a. A designee of the candidate requesting the
22 recount, who shall be named in the written request
23 when it is filed.

24 b. A designee of the apparent winning candidate,
25 who shall be named by that candidate at or before
26 the time the board is required to convene.

27 c. A person chosen jointly by the members
28 designated under paragraphs a and b of this subsection.

29 The commissioner shall convene the persons
30 designated under paragraphs a and b of this subsection
31 not later than nine o'clock a.m. on the seventh day
32 following the county board's canvass of the election
33 in question. If those two members cannot agree on
34 the third member by eight o'clock a.m. on the ninth
35 day following the canvass, they shall immediately
36 so notify the chief judge of the judicial district
37 in which the canvass is occurring, who shall appoint
38 the third member not later than five o'clock p.m.
39 on the eleventh day following the canvass.

40 4. When all members of the recount board have
41 been selected, the board shall undertake and complete
42 the required recount as expeditiously as reasonably
43 possible. Any member of the recount board may at
44 any time during the recount proceedings extend the
45 recount of votes cast for the office or nomination
46 in question to any other precinct or precincts in
47 the same county, or from which the returns were
48 reported to the commissioner responsible for conducting
49 the election, without the necessity of posting
50 additional bond. At the conclusion of the recount,

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1 the recount board shall make and file with the
2 commissioner a written report of its findings, which
3 shall be signed by at least two members of the recount
4 board. The recount board shall complete the recount
5 and file its report not later than the eighteenth
6 day following the county board's canvass of the
7 election in question.

8 5. If the recount board's report is that the
9 abstracts prepared pursuant to the county board's
10 canvass were incorrect as to the number of votes cast
11 for the candidates for the office or nomination in
12 question, in that county or district, the commissioner
13 shall at once so notify the county board. The county
14 board shall reconvene within three days after being
15 so notified, and shall correct its previous
16 proceedings.

17 6. The commissioner shall promptly notify the
18 state commissioner of any recount of votes for an
19 office to which section fifty point thirty (50.30)
20 of the Code, or section forty-three point sixty (43.60)
21 of the Code in the case of a primary election, is
22 applicable. If necessary, the state canvass required
23 by section fifty point thirty-eight (50.38) of the
24 Code, or by section forty-three point sixty-three
25 (43.63) of the Code, as the case may be, shall be
26 delayed with respect to the office or the nomination
27 to which the recount pertains. The commissioner shall
28 subsequently inform the state commissioner at the
29 earliest possible time whether any change in the
30 outcome of the election in that county or district
31 resulted from the recount.

32 Sec. 39. Section fifty-three point seventeen
33 (53.17), Code 1979, is amended to read as follows:

34 53.17 MAILING OR DELIVERING BALLOT. The sealed
35 envelope containing the absentee ballot shall be
36 enclosed in a carrier envelope which shall be securely
37 sealed. The sealed carrier envelope shall be delivered
38 by the qualified elector or his or her designee to
39 the commissioner or a deputy in his or her office,
40 or mailed, postage paid, to the office of the
41 commissioner. The carrier envelope shall be received
42 by the commissioner until ~~eight o'clock p.m.~~ the time
43 the polls are closed on election day. The commissioner
44 shall contact the post office serving the
45 commissioner's office at the latest practicable hour
46 on election day, and shall seek to arrange for any
47 absentee ballots received in that post office but
48 not yet delivered to the commissioner's office to
49 be brought to the commissioner's office prior to the
50 time the polls are closed."

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1 6. Page 3, line 13, by inserting after the word
2 "may" the words "appoint the special precinct election
3 officers without regard to political affiliation when
4 they are to serve for nonpartisan elections, and may".

5 7. Page 4, line 21, by inserting after the period
6 the words "On election day the officers shall return
7 the sealed container by the time the polls are closed."

8 8. Page 4, by striking lines 22 through 30 and
9 inserting in lieu thereof the following:

10 "Sec. 41. Section fifty-three point thirty-seven
11 (53.37), subsections three (3) and four (4), Code
12 1979, are amended by striking the subsections and
13 inserting in lieu thereof the following:

14 3. Civilians eighteen years of age or older whose
15 last domicile was in the state of Iowa, and who are
16 residing outside the territorial limits of the United
17 States and the District of Columbia.

18 Sec. 42. Section fifty-three point forty-nine
19 (53.49), unnumbered paragraph two (2), Code 1979,
20 is amended by striking the unnumbered paragraph."

21 9. Page 6, by striking lines 22 through 24 and
22 inserting in lieu thereof the following:

23 "Sec. 46. Section fifty-seven point one (57.1),
24 subsection two (2), paragraph c. Code 1979, is amended
25 to read as follows:

26 c. That prior to the election the incumbent had
27 been duly convicted of an infamous crime, and that
28 the judgment had not been reversed, annulled or set
29 aside, nor the incumbent pardoned or restored to the
30 rights of citizenship by the governor under section
31 two hundred forty-eight point twelve (248.12) of the
32 Code, at the time of the election.

33 Sec. 47. Section sixty-nine point eight (69.8),
34 subsection five (5), Code 1979, is amended by striking
35 the subsection.

36 Sec. 48. Section sixty-nine point twelve (69.12),
37 unnumbered paragraph one (1), Code 1979, is amended
38 to read as follows:

39 When a vacancy occurs in any nonpartisan elective
40 office of a political subdivision of this state, and
41 the statutes governing the office in which the vacancy
42 occurs require that it be filled by election or are
43 silent as to the method of filling the vacancy, it
44 shall be filled pursuant to this section. As used
45 in this section, "pending election" means any election
46 at which there will be on the ballot either the office
47 in which the vacancy exists, or any other office to
48 be filled or any public question to be decided by
49 the voters of the same political subdivision.

50 Sec. 49. Section two hundred seventy-five point

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1 twelve (275.12), subsection one (1), Code 1979, is
2 amended to read as follows:

3 1. A petition describing the boundaries, or
4 accurately describing the area included therein by
5 legal descriptions, of the proposed district, which
6 boundaries or area described shall conform to plans
7 developed or the petition shall request change of
8 the plan, shall be filed with the area education
9 agency administrator of the area education agency
10 in which the greatest number of electors reside.
11 ~~Such petition shall be signed by voters eligible~~
12 ~~electors who are (or would be, if registered) entitled~~
13 ~~to vote for members of the board of directors in each~~
14 ~~existing school district affected or portion thereof~~
15 ~~equal in number to at least twenty percent of the~~
16 ~~number of eligible voters or four hundred voters five~~
17 ~~percent of the number of persons who voted at the~~
18 ~~last preceding regular election at which candidates~~
19 ~~for the office of school district director were on~~
20 ~~the ballot, or fifty persons, whichever is the smaller~~
21 ~~greater number. School districts district affected~~
22 ~~or portion thereof shall be defined to mean means~~
23 that area to be included in the plan of the proposed
24 new school district.

25 Sec. 50. Section two hundred seventy-seven point
26 two (277.2), Code 1979, is amended to read as follows:
27 277.2 SPECIAL ELECTION. The board of directors
28 in any school corporation may call a special election
29 at which election the voters shall have the powers
30 exercised at the regular election with reference to
31 the sale of school property and the application to
32 be made of the proceeds, the authorization of seven
33 members on the board of directors, the authorization
34 to establish or change the boundaries of director
35 districts, or the authorization of a schoolhouse tax
36 or indebtedness, as provided by law, for the purchase
37 of a site and the construction of a necessary
38 schoolhouse, and for obtaining roads thereto.

39 Sec. 51. Section two hundred seventy-nine point
40 six (279.6), Code 1979, is amended to read as follows:
41 279.6 VACANCIES - QUALIFICATION - TENURE.
42 1. Vacancies occurring among the appointive
43 officers or members of a school board district shall
44 be filled by the board by appointment. A person so
45 appointed to fill a vacancy in an elective office
46 shall hold office until a successor is elected and
47 qualified pursuant to section 69.12. A person
48 appointed to fill a vacancy in an appointive office
49 shall hold such office for the residue remainder of
50 the unexpired term and until his or her successor

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1 is appointed and qualified. Any person so appointed
2 shall qualify within ten days thereafter in the manner
3 required by section 277.28.

4 2. A vacancy in an elective school district office
5 during a term of office shall be filled, at the board's
6 option, by one of the two following procedures.

7 a. By appointment by the remaining members of
8 the board, except that if the remaining members do
9 not constitute a quorum of the full membership,
10 paragraph b of this subsection shall be followed.
11 The appointment shall be for the period until the
12 next pending election as defined in section sixty-
13 nine point twelve (69.12) of the Code, and shall be
14 made within thirty days after the vacancy occurs.
15 If the board chooses to proceed under this paragraph,
16 it shall publish notice of its intent to fill the
17 vacancy in a newspaper of general circulation in the
18 district. The board may publish such notice in advance
19 if a board member submits a resignation to take effect
20 at a future date. The board may make an appointment
21 to fill the vacancy after the notice is published
22 or after the vacancy occurs, whichever date is later.
23 However, if within ten days after publication of the
24 notice the board is presented with a petition which
25 requests a special election to fill the vacancy and
26 which is signed by eligible electors who are (or would
27 be, if registered) entitled to vote to fill the office
28 in question, equal in number to two percent of those
29 who voted for candidates for the office at the last
30 preceding regular election at which the office was
31 on the ballot, but not less than twenty-five persons,
32 an appointment to fill the vacancy shall be temporary
33 and the board shall call a special election to fill
34 the vacancy permanently, under paragraph b of this
35 subsection. An appointment made under this subsection
36 is permanent unless the board is presented with a
37 petition requesting a special election.

38 b. By a special election held to fill the office
39 for the remaining balance of the unexpired term, which
40 may be held concurrently with any pending election
41 as provided by section sixty-nine point twelve (69.12)
42 of the Code if by so doing the vacancy will be filled
43 not more than ninety days after it occurs. Otherwise,
44 a special election to fill the office shall be called
45 at the earliest practicable time after the board so
46 opts, or is required to do so under paragraph a of
47 this subsection.

48 However, if 3. If a member of a school board
49 resigns from the board prior to the time for filing
50 nomination papers for office as a school board member,

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1 as provided in section 277.4, and he specifies in
2 his the resignation that the resignation it will be
3 effective on the date the next term of office for
4 elective school officials begins, the president of
5 the board shall declare the office vacant as of that
6 date and nomination papers shall be received for the
7 unexpired term of the resigning member. The person
8 elected at the next regular school election to fill
9 the vacancy shall take office at the same time and
10 place as the other elected school board members.

11 Sec. 52. Section two hundred seventy-nine point
12 forty-one (279.41), Code 1979, is amended to read
13 as follows:

14 279.41 SCHOOLHOUSES AND SITES SOLD—FUNDS. Any
15 fund received from the condemnation, sale, or other
16 disposition for public purposes of schoolhouses,
17 school sites or both schoolhouses and school sites
18 may be deposited in the schoolhouse fund and may
19 without a vote of the electorate be used for the
20 purchase of school sites or the erection or repair
21 of schoolhouses or both as ordered by the board of
22 directors of such school district, ~~provided, however,~~
23 ~~that the board shall comply with section 297.7.~~

24 Sec. 53. Chapter three hundred thirty-one (331),
25 Code 1979, is amended by inserting after section three
26 hundred thirty-one point nine (331.9) the following
27 new section:

28 NEW SECTION. VACANCIES ON BOARD. A vacancy on
29 the county board of supervisors during a term of
30 office shall be filled, at the board's option, by
31 one of the two following procedures.

32 1. By appointment by the remaining members of
33 the board, provided the remaining members constitute
34 a quorum of the full membership. If the board chooses
35 to proceed under this subsection, the appointment
36 shall be for the period until the next pending election
37 as defined in section sixty-nine point twelve (69.12)
38 of the Code, and shall be made within thirty days
39 after the vacancy occurs, but only after publication
40 in a newspaper of general circulation in the county
41 of notice of the board's intent to fill the vacancy.
42 The board may publish the notice in advance if a board
43 member submits a resignation to take effect at a
44 future date. The board may make an appointment to
45 fill the vacancy after the notice is published or
46 after the vacancy occurs, whichever date is later.
47 However, if within ten days after publication of the
48 notice the board is presented with a petition which
49 requests a special election to fill the vacancy and
50 which is signed by eligible electors who are (or would

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1 be, if registered) entitled to vote to fill the office
2 in question, equal in number to two percent of those
3 who voted for candidates for the office at the last
4 preceding regular election at which the office was
5 on the ballot, but not less than twenty-five persons,
6 an appointment to fill the vacancy shall be temporary
7 and the board shall call a special election to fill
8 the vacancy permanently, under subsection two (2)
9 of this section. An appointment made under this
10 subsection is permanent unless the board is presented
11 with a petition requesting a special election.

12 2. By a special election held to fill the office
13 for the remaining balance of the unexpired term, which
14 may be held concurrently with any pending election
15 as provided by section sixty-nine point twelve (69.12)
16 of the Code if by so doing the vacancy will be filled
17 not more than ninety days after it occurs. Otherwise,
18 a special election to fill the office shall be called
19 at the earliest practicable time after the board so
20 opts, or is required to do so under subsection one
21 (1) of this section. If a special election is called,
22 nominations for the vacant office may be made by
23 political parties in the manner provided by section
24 forty-three point seventy-eight (43.78) of the Code
25 for filling general election ballot vacancies for
26 the office of county supervisor.

27 Sec. 54. Chapter three hundred thirty-one (331),
28 Code 1979, is amended by inserting before section
29 three hundred thirty-one point twelve (331.12) the
30 following new section:

31 **NEW SECTION. CONCURRENT VACANCIES.** If concurrent
32 vacancies at any time reduce the membership of the
33 county board of supervisors below a quorum of the
34 full membership, the vacancies shall be filled on
35 an interim basis by the auditor, the clerk of the
36 district court and the recorder of the county on whose
37 board the vacancies exist. The county commissioner
38 of elections shall call a special election at the
39 earliest practicable time to fill the vacancies for
40 the balance of the unexpired term, unless the vacancies
41 occur within sixty days of the next succeeding general
42 election. Nominations to the vacant offices shall
43 be made for the special election in the manner provided
44 by section forty-three point seventy-eight (43.78),
45 subsection one (1), paragraph e of the Code.

46 Sec. 55. Section three hundred thirty-one point
47 twenty-six (331.26), subsection one (1), Code 1979,
48 is amended to read as follows:

49 1. The board of supervisors shall, before November
50 1, 1969, and before November 1 first of the nonelection

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1 year following each federal decennial census
2 thereafter, if necessary, divide the county into a
3 number of supervisor districts corresponding to the
4 number of supervisors in such county. However, if
5 such plan is selected pursuant to section 331.9, the
6 board shall so divide the county before March 15
7 fifteenth of the election year. The board shall make
8 a good-faith effort to achieve precise mathematical
9 equality in the population of such districts as
10 indicated by the most recent federal decennial census.

11 Such supervisor districts may be drawn on the basis
12 of existing natural or artificial divisions and
13 boundaries of the county; township and voting precinct
14 lines may be crossed; but in no event shall the
15 existence of convenient district boundaries justify
16 the designation of supervisor districts which are
17 not of as nearly precise mathematical equality in
18 population as is practicable, nor which do not consist
19 of contiguous territory.

20 Sec. 56. Section three hundred forty-seven point
21 twenty-five (347.25), unnumbered paragraph one (1),
22 Code 1979, is amended to read as follows:

23 The election of hospital trustees whose offices
24 are established by this chapter or chapter 145A or
25 347A shall take place at the general election on
26 ballots which shall not reflect a nominee's political
27 affiliation. Nomination shall be made by petition
28 in accordance with chapter 45. The petition form
29 shall be furnished by the county commissioner of
30 elections, signed by eligible electors of the county
31 equal in number to one percent of the vote cast for
32 president of the United States or governor, as the
33 case may be, by both political parties at least two
34 percent of those who voted to fill the office of
35 hospital trustee in the last previous general election,
36 and at which the office was on the ballot, but in
37 no case fewer than ten persons. The petition shall
38 be filed with the county commissioner of elections
39 at least fifty-five days prior to the date of said
40 general election. A plurality shall be sufficient
41 to elect hospital trustees, it being the intent that
42 there be no primary election.

43 Sec. 57. Section three hundred sixty-four point
44 two (364.2), subsection four (4), paragraph b, Code
45 1979, is amended to read as follows:

46 b. No such ordinance shall become effective unless
47 approved at an election. The proposal may be submitted
48 by the council on its own motion to the voters at
49 any city election. Upon receipt of a valid petition
50 as defined in section 362.4 requesting that a proposal

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1 be submitted to the voters, the council shall submit
2 the proposal at the next regular city election or
3 at a special election called for that purpose prior
4 to the next regular city election. If a majority
5 of those voting on the ballot issue approves the
6 proposal the city may proceed as proposed.

7 Sec. 58. Section three hundred seventy-two point
8 thirteen (372.13), subsection two (2), Code 1979,
9 is amended by striking the subsection and inserting
10 in lieu thereof the following:

11 2. A vacancy in an elective city office during
12 a term of office shall be filled, at the council's
13 option, by one of the two following procedures.

14 a. By appointment by the remaining members of
15 the council, except that if the remaining members
16 do not constitute a quorum of the full membership,
17 paragraph b of this subsection shall be followed.
18 The appointment shall be for the period until the
19 next pending election as defined in section sixty-
20 nine point twelve (69.12) of the Code, and shall be
21 made within thirty days after the vacancy occurs.
22 If the council chooses to proceed under this paragraph,
23 it shall publish notice of its intent to fill the
24 vacancy in the manner prescribed by section three
25 hundred sixty-two point three (362.3) of the Code.
26 The council may publish notice in advance if a council
27 member submits a resignation to take effect at a
28 future date. The council may make an appointment
29 to fill the vacancy after the notice is published
30 or after the vacancy occurs, whichever is later.
31 However, if within ten days after publication of the
32 notice the council is presented with a petition which
33 requests a special election to fill the vacancy and
34 which is signed by eligible electors who are (or would
35 be, if registered) entitled to vote to fill the office
36 in question, equal in number to two percent of those
37 who voted for candidates for the office at the last
38 preceding regular election at which the office was
39 on the ballot, but not less than twenty-five persons,
40 an appointment to fill the vacancy shall be temporary
41 and the council shall call a special election to fill
42 the vacancy permanently, under paragraph b of this
43 subsection. An appointment made under this paragraph
44 is permanent unless the council is presented with
45 a petition requesting a special election.

46 b. By a special election held to fill the office
47 for the remaining balance of the unexpired term, which
48 may be held concurrently with any pending election
49 as provided by section sixty-nine point twelve (69.12)
50 of the Code if by so doing the vacancy will be filled

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1 not more than ninety days after it occurs. Otherwise,
2 a special election to fill the office shall be called
3 at the earliest practicable time after the council
4 so opts, or is required to do so under paragraph a
5 of this subsection. A special election held under
6 this subsection is subject to neither a primary nor
7 run-off election even if such an election is required
8 when the office in question is filled at a regular
9 city election, and the candidate receiving a plurality
10 of the vote shall be declared elected.

11 Sec. 59. The Code editor shall prepare a
12 compilation of the election laws of this state as
13 soon as reasonably possible after the effective date
14 of this section. The superintendent of printing shall
15 cause not less than five thousand copies of the
16 compilation to be printed, and an additional five
17 thousand to be printed if the initial supply of five
18 thousand runs out. The cost of preparing and printing
19 the compilation shall be paid from the appropriation
20 provided by section fourteen point twenty-two (14.22)
21 of the Code.

22 Sec. 60. The compilation of election laws printed
23 pursuant to section fifty-nine (59) of this Act shall
24 be distributed by the superintendent of printing.
25 Each county shall be provided with a sufficient number
26 of copies to enable the county commissioner of
27 elections to distribute one copy to each political
28 party county central committee chairperson, the
29 secretary of each school board for which the
30 commissioner conducts an election, each city clerk,
31 each public library and each secondary school library.
32 These persons and libraries shall be informed in some
33 suitable manner that they may obtain a copy of the
34 compilation free of charge from the county
35 commissioner's office. All copies remaining after
36 the foregoing requirements have been satisfied shall
37 be distributed free of charge in reasonable quantities
38 to persons requesting them.

39 Sec. 61. Sections forty-three point four (43.4),
40 forty-three point fifty-six (43.56), forty-three point
41 fifty-seven (43.57), forty-three point fifty-eight
42 (43.58), forty-three point one hundred three (43.103),
43 and two hundred seventy-nine point seven (279.7),
44 Code 1979, are repealed.

45 Sec. 62. Sections one (1) through thirty (30),
46 thirty-two (32), thirty-three (33), and thirty-five
47 (35) through sixty-one (61) of this Act are effective
48 January first following its enactment. Sections
49 thirty-one (31) and thirty-four (34) of this Act".

50 10. Title, by striking lines 2 through 6 and

Page 27

1 inserting in lieu thereof the words "elections by
2 amending the statutes providing for registration of
3 voters, for nomination of candidates, for preparations
4 for, conducting and canvassing elections, for the
5 establishment and administration of the income tax
6 election campaign fund checkoff, for the filling of
7 vacancies in certain elective offices of political
8 subdivisions, and certain related sections of the
9 Code, and prescribing penalties."

Fiscal note is required.

Senate File 442, a bill for an act relating to the distribution of earnings of corporations which are cooperative associations.

Recommended Do Pass.

Fiscal note is not required.

COMMITTEE ON TRANSPORTATION

Senate File 278, a bill for an act relating to violations of motor vehicle laws by providing for the admission of motor vehicle records in court actions, by providing for personal service of notices, by providing for consideration of out-of-state moving violation convictions in habitual offender determinations, by providing that operating a motor vehicle without a valid operator's license shall be a scheduled violation, by providing a revised schedule for excess speed violations, by prohibiting deferral of fines when a defendant admits a scheduled violation or is convicted of a scheduled violation, by providing for forfeiture of appearance bonds, and by providing technical corrections and providing penalties.

Recommended Amend and Do Pass.

H-3745

1 Amend Senate File 278 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 23 the
4 following:
5 "Sec. 6. Section three hundred twenty-one point
6 two hundred three (321.203), Code 1979, is amended
7 to read as follows:
8 321.203 SUSPENDING PRIVILEGES OF NONRESIDENTS.
9 The privilege of driving a motor vehicle on the high-
10 ways of this state given to a nonresident hereunder
11 shall be subject to suspension or revocation by the
12 department in like manner and for like cause as an
13 operator's or chauffeur's license issued hereunder
14 may be suspended or revoked except as provided under

15 section ten (10) of this Act.

16 Sec. 7. Section three hundred twenty-one point
 17 two hundred ten (321.210), Code 1979, is amended by
 18 adding the following new subsection:

19 NEW SUBSECTION. Should have his or her license
 20 suspended under the provisions of section ten (10)
 21 of this Act.

22 Sec. 8. Section three hundred twenty-one point
 23 two hundred twelve (321.212), unnumbered paragraph
 24 one (1), Code 1979, is amended to read as follows:

25 The Except as provided in section ten (10) of this
 26 Act, the department shall not suspend a license for
 27 a period of more than one year, except that a license
 28 suspended because of incompetency to drive a motor
 29 vehicle shall be suspended until the department
 30 receives satisfactory evidence that the former holder
 31 thereof is competent to operate a motor vehicle and
 32 a refusal to reinstate shall constitute a denial of
 33 license within the provisions of section 321.215;
 34 upon revoking a license the department shall not in
 35 any event grant application for a new license until
 36 the expiration of one year after such revocation."

37 2. Page 3, line 4, by inserting after the figure
 38 "321.207" the words and figure "or chapter three
 39 hundred twenty-one C (321C) of the Code".

40 3. Page 3, line 9, by striking the word "six"
 41 and inserting in lieu thereof the words "six ten".

42 4. Page 3, by inserting after line 11 the
 43 following:

44 "Sec. 10. Chapter three hundred twenty-one (321),
 45 Code 1979, is amended by adding the following new
 46 section:

47 NEW SECTION. NONRESIDENT VIOLATOR COMPACT.

48 1. AUTHORITY TO COMPACT. The director of
 49 transportation may, subject to the approval of the
 50 state transportation commission, enter into nonresident

Page 2

1 violator compacts with other jurisdictions. The
 2 compact shall contain in substantially the same form
 3 the following provisions:

4 a. DEFINITIONS. For purposes of the nonresident
 5 violator compact, the following words have the meaning
 6 indicated, unless the context requires otherwise:

7 (1) "Citation" means any summons, ticket, or other
 8 official document issued by a police officer for a
 9 traffic violation containing an order which requires
 10 the motorist to respond.

11 (2) "Collateral" means any cash or other security
 12 deposited to secure an appearance for trial, following

- 13 the issuance by a police officer of a citation for
14 a traffic violation.
- 15 (3) "Court" means a court of law or traffic
16 tribunal.
- 17 (4) "Driver's license" means any license or
18 privilege to operate a motor vehicle issued under
19 the laws of the home jurisdiction.
- 20 (5) "Home jurisdiction" means the jurisdiction
21 that issued the driver's license of the traffic
22 violator.
- 23 (6) "Issuing jurisdiction" means the jurisdiction
24 in which the traffic citation was issued to the
25 motorist.
- 26 (7) "Jurisdiction" means a state, territory, or
27 possession of the United States, the District of
28 Columbia, or the Commonwealth of Puerto Rico.
- 29 (8) "Motorist" means a driver of a motor vehicle
30 operating in a party jurisdiction other than the home
31 jurisdiction.
- 32 (9) "Personal recognizance" means an agreement
33 by a motorist made at the time of issuance of the
34 traffic citation that the motorist will comply with
35 the terms of that traffic citation.
- 36 (10) "Police officer" means any individual
37 authorized by the party jurisdiction to issue a
38 citation for a traffic violation.
- 39 (11) "Terms of the citation" means those options
40 expressly stated upon the citation.
- 41 b. PROCEDURE FOR ISSUING JURISDICTION.
- 42 (1) When issuing a citation for a traffic
43 violation, a police officer shall issue the citation
44 to a motorist who possesses a driver's license issued
45 by a party jurisdiction and shall not, except as
46 provided in subparagraph two (2) of this paragraph,
47 require the motorist to post collateral to secure
48 appearance, if the officer receives the motorist's
49 signed personal recognizance that he or she will
50 comply with the terms of the citation.

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- 1 (2) Unless prohibited by law, personal recognizance
2 is acceptable. If mandatory appearance is required
3 by law, the appearance must take place immediately
4 following issuance of the citation.
- 5 (3) Upon failure of a motorist to comply with
6 the terms of a traffic citation, the appropriate
7 official shall report the failure to comply to the
8 licensing authority of the jurisdiction in which the
9 traffic citation was issued, and that licensing
10 authority shall transmit the information contained

11 in the report to the licensing authority in the home
12 jurisdiction of the motorist.

13 (4) The licensing authority of the issuing
14 jurisdiction may not suspend the driving privilege
15 of a motorist for whom a report has been transmitted.

16 (5) The licensing authority of the issuing
17 jurisdiction shall not transmit a report on any
18 violation if the date of transmission is more than
19 six months after the date the traffic citation was
20 issued.

21 (6) The licensing authority of the issuing
22 jurisdiction shall not transmit a report on any
23 violation where the date of issuance of the citation
24 predates the most recent effective date of entry for
25 the two jurisdictions.

26 c. PROCEDURE FOR HOME JURISDICTION. Upon receipt
27 of a report of a failure to comply, the licensing
28 authority of the home jurisdiction shall notify the
29 motorist and initiate a suspension action, in
30 accordance with the home jurisdiction's procedures,
31 to suspend the motorist's driver's license until
32 satisfactory evidence of compliance with the terms
33 of the traffic citation has been furnished to the
34 home jurisdiction licensing authority. Due process
35 safeguards must be accorded.

36 d. EXCEPTIONS. The provisions of the nonresident
37 violator compact shall not apply to parking or standing
38 violations, highway weight limit violations, and
39 violations of law governing the transportation of
40 hazardous materials.

41 e. ADDITIONAL PROVISIONS. The nonresident violator
42 compact shall contain such other provisions as the
43 director of transportation reasonably determines as
44 necessary or appropriate for inclusion in the compact.

45 2. RULES. The state department of transportation
46 is authorized to adopt and promulgate administrative
47 rules it determines are necessary to carry out the
48 provisions of this section. The rules shall be adopted
49 subject to the provisions of chapter seventeen A (17A)
50 of the Code.

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1 3. ENFORCEMENT. The agencies and officers of
2 this state and its subdivisions and municipalities
3 shall enforce the nonresident violator compacts and
4 shall do all things appropriate to accomplish their
5 purpose and intent."

6 5. Amend the title, line 5, by inserting after
7 the word "determinations," the words "by authorizing
8 the director of transportation to enter into

- 9 nonresident violator compacts,"
 10 6. By renumbering sections and internal references
 11 as necessary in conformance with this amendment.

AMENDMENTS FILED

H-3741	H.F. 732	Spear of Lee
H-3743	H.F. 732	Hall of Linn
H-3746	H.F. 727	Connors of Polk
		Doyle of Woodbury
		Kirkenslager of Des Moines
H-3747	S.F. 4	Johnson of Howard
H-3748	S.F. 373	Miller of Buchanan
H-3749	H.F. 720	Pelton of Clinton
H-3750	H.F. 720	Pelton of Clinton
H-3751	H.F. 720	Pelton of Clinton
H-3752	S.F. 388	Johnson of Linn
H-3753	H.F. 81	Bina of Scott
H-3754	H.F. 646	Cochran of Webster
H-3756	H.F. 717	Welsh of Dubuque
H-3757	S.F. 373	Miller of Buchanan
H-3758	S.F. 373	Jochum of Dubuque
		Pavich of Pottawattamie
H-3759	S.F. 446	O'Kane of Woodbury
H-3760	S.F. 426	Byerly of Polk
H-3761	S.F. 479	Pelton of Clinton
H-3762	H.F. 646	Ritsema of Sioux

On motion by Halvorson of Clayton the House adjourned at 5:58 p.m., until 9:00 a.m., Friday, April 6, 1979.

JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day—Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 6, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend James Hartman, pastor of the Indianola Friends Church, Indianola, Iowa.

The Journal of Thursday, April 5, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Carney, Grinnell, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Norland of Worth on request of Avenson of Fayette; Egenes of Story on request of Clark of Lee.

PRESENTATION OF VISITORS

Lloyd-Jones of Johnson presented to the House the Honorable William J. Hargrave, Jr., former member of the House, representing Johnson county.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-five ninth grade students from Jefferson Junior High School, Jefferson, Iowa, accompanied by Mr. Hutchcroft and Ms. Becker. By Perkins of Greene.

Fifty-six fifth grade students from Van Allen Elementary School, Chariton, Iowa, accompanied by Thelma Turnquist and Mrs. Cooper. By Shull of Warren and Jay of Appanoose.

Forty-eight eighth grade students from St. John-St. Nichols School, Evansdale, Iowa, accompanied by Tom Stevens. By Miller of Buchanan.

Twenty-one eighth grade students from Cedar Valley Middle School, Rinard, Iowa, accompanied by Harlan Holly. By Maulsby of Calhoun.

Fifty-eight sixth, seventh and eighth grade students from Lytton Community School, Lytton, Iowa, accompanied by Mrs. Duane Knapp. By Maulsby of Calhoun.

PETITIONS FILED

The following petitions were received and placed on file:

By Swearingen of Keokuk, a resolution adopted by the Board of Supervisors of Washington county, resolving that the State shall be responsible for funding 100 percent of the treatment, care, prevention, education and pre-admission screening evaluations of all substance abusers as required by law.

By Jay of Appanoose, from eighty constituents of district 93 favoring stabilization of utility rate increases.

INTRODUCTION OF BILL

House File 737, by committee on ways and means, a bill for an act relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land, by including transmission towers and antennae not a part of a household, and by providing that certain property is not attached when it ordinarily is removed when the property owner moves to another location and making the Act retroactive.

Read first time and placed on the **ways and means 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 on April 4, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 257, a bill for an act relating to the regulation of liquefied natural gas.

Also: That the Senate has on April 4, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 420, a bill for an act to authorize the department of revenue to credit gas and franchise tax refunds against the tax liability of a taxpayer.

Also: That the Senate has on April 4, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 421, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states.

Also: That the Senate has on April 4, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 470, a bill for an act relating to the retention from payment on public contracts and escrow agreements.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 421

H-3764

- 1 Amend House File 421, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 20, by inserting after the word
- 4 "information." the words "The department shall inform
- 5 the taxpayer when returns or other information is
- 6 provided to the United States government, other states,
- 7 or to other officials or employees of this state
- 8 pursuant to this chapter."

SENATE MESSAGE CONSIDERED

Senate File 470, a bill for an act relating to retention from payment on public contracts and escrow agreements.

Read first time and referred to committee on **commerce**.

ADOPTION OF SENATE CONCURRENT RESOLUTION 16

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 16 received from the Senate on April 5, 1979 and found on page 1367 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 81, a bill for an act to permit the use of temporary signs to notify the public of community events, with report of committee recommending passage was taken up for consideration.

Tofte of Winneshiek offered the following amendment H—3284 filed by Tofte, et al.:

H—3284

- 1 Amend Senate File 81, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 2, by striking the word
- 4 "subsection" and inserting in lieu thereof the word
- 5 "subsections".
- 6 2. Page 1, by inserting after line 9 the following
- 7 new subsection:
- 8 **"NEW SUBSECTION.** "Permanent point of interest
- 9 sign" means an advertising device, not larger than
- 10 thirty-two square feet in area, erected for the purpose
- 11 of notifying the public of local historic sites,
- 12 scenic views and other natural points of interest
- 13 which may be of interest to the traveling public."
- 14 3. Page 1, line 11, by striking the word "section"
- 15 and inserting in lieu thereof the word "sections".
- 16 4. Page 1, by inserting after line 25 the following
- 17 new section:
- 18 **"NEW SECTION. PERMANENT POINTS OF INTEREST SIGNS.**
- 19 It is lawful to erect and maintain a permanent points
- 20 of interest sign on private property with the
- 21 permission of the owner or the person in charge of
- 22 the property at any time. This section does not
- 23 authorize placement of a permanent special interest
- 24 sign at a location where it may, because of its size,
- 25 location, content, coloring or lighting, constitute
- 26 a traffic hazard or a detriment to traffic safety
- 27 by obstructing the vision of the drivers, by detracting
- 28 from the visibility of a traffic control device or
- 29 by being confused with an authorized traffic control
- 30 device. Any sign erected under the provisions of
- 31 this section shall be subject to the applicable permit
- 32 provisions of section three hundred six C point
- 33 eighteen (306C.18) of the Code."

Tofte of Winneshiek offered the following amendment H—3322, to amendment H—3284, filed by Tofte, et al., and moved its adoption:

H—3322

1 Amend amendment H—3284 to Senate File 81, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 33 and
4 inserting in lieu thereof the following:

5 "1. Page 1, by inserting after line 9 the
6 following new section:

7 "Sec. . . Section three hundred six C point
8 eighteen (306C.18), unnumbered paragraph one (1),
9 Code 1979, is amended to read as follows:

10 The owner of every advertising device regulated
11 by the provisions of this chapter, except signs and
12 advertising devices excepted by section 306C.11,
13 subsections 1, 2, 4 and 5, shall be required to
14 make application to the department for a permit."

15 2. By renumbering as necessary."

Amendment H—3322 was adopted.

Tofte of Winneshiek asked and received unanimous consent to withdraw the following amendments filed by Tofte, et al., on March 2, 1979: Amendments H—3292 and H—3301.

On motion by Tofte of Winneshiek, amendment H—3284, as amended, 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?" (S.F. 81)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Brüner	Byerly	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Corey
Crabb	Daggett	Dank	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones

Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods		

The nays were, none.

Absent or not voting, 14:

Chiodo	Cochran	Connors	Crawford
Cusack	Egenes	Jay	Jesse
Lonerган	Norland	Patchett	Shull
Stromer	Mr. Speaker		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

OBJECTION TO VOTE

Jay of Appanoose asked for unanimous consent to be recorded as voting "aye" on Senate File 81.

Objection was raised.

House File 695, a bill for an act relating to the date requirements for calling a special election for the issuance of certain general obligation bonds for school districts, was taken up for consideration.

Thompson 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. 695)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth

Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 13:

Chiodo	Clark, B.J.	Connors	Cusack
Egenes	Halvorson, R.N.	Jesse	Kirkenslager
Loneragan	Norland	Patchett	Stromer
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 454, a bill for an act relating to countersignatures on insurance policies, 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?" (H.F. 454)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger

Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 1:

Avenson

Absent or not voting, 9:

Binneboese	Chiodo	Crabb	Cusack
Egenes	Jesse	Lonergan	Norland
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Halvorson of Clayton asked and received unanimous consent to defer action on House File 663 and that the bill be placed on the unfinished business calendar.

HOUSE FILE 666 TEMPORARILY DEFERRED

Krewson of Polk asked and received unanimous consent to temporarily defer action on House File 666.

House File 673, a bill for an act increasing the amount of interest on money due on judgments and decrees of courts from seven to ten percent, was taken up for consideration.

Holt of Clay 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. 673)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Byerly

Absent or not voting, 8:

Chiodo	Cusack	Egenes	Jesse
Lind	Lonergan	Norland	Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson for the remainder of the day on request of Jesse of Polk.

House File 686, a bill for an act relating to the compensation of shorthand reporters, was taken up for consideration.

Johnson of Linn offered the following amendment H—3680 filed by him:

H-3680

- 1 Amend House File 686 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "court." the words "These rules shall be subject to
- 4 approval by the administrative rules review committee."

The following amendment H-3765, to amendment H-3680, filed by Johnson of Linn from the floor, was adopted by unanimous consent:

H-3765

- 1 Amend amendment H-3680, to House File 686, as
- 2 follows:
- 3 1. Page 1, line 4, by striking the word
- 4 "approval" and inserting in lieu thereof the word
- 5 "review".

Johnson of Linn moved the adoption of amendment H-3680, as amended.

A non-record roll call was requested.

The ayes were 67, nays 18.

Amendment H-3680, as amended, was adopted.

Johnson of Linn offered the following amendment H-3681 filed by him and moved its adoption:

H-3681

- 1 Amend House File 686 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "court." the words "Shorthand reporters serving district
- 4 associate judges and magistrates shall be compensated
- 5 at a lesser rate than those serving district court
- 6 judges."

A non-record roll call was requested.

The ayes were 29, nays 52.

Amendment H-3681 lost.

Corey of Louisa 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. 686)

The ayes were, 83:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Larsen	Lloyd-Jones	Lorenzen
Lura	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklöth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 9:

Anderson, R.	Conlon	Johnson, R.	Lageschulte
Lind	Maulsby	Spear	Tyrrell
Welden			

Absent or not voting, 8:

Cusack	Egenes	Harbor	Krewson
Lonergan	Norland	Patchett	Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 708, a bill for an act to permit the issuance of shares of a professional corporation to persons who are licensed in other states to practice the profession which the corporation is licensed to practice in Iowa, was taken up for consideration.

Walter 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. 708)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 1:

Tyrrell

Absent or not voting, 9:

Cusack	Egenes	Harbor	Hullinger
Johnson, R.	Lonergan	Norland	Patchett
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 715, a bill for an act relating to the information to be furnished a jury commission for use in drawing jury lists, was taken up for consideration.

Lloyd-Jones of Johnson 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. 715)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Cusack	Danker	Egenes	Lonergan
Norland	Patchett	Smalley	Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 282 SUBSTITUTED FOR HOUSE FILE 666

Hall of Linn asked and received unanimous consent to substitute Senate File 282 for House File 666.

Senate File 282, a bill for an act to amend city finance laws relating to the establishment of trust and agency funds, the

establishment of a capital improvements reserve fund, the date for final disposition of city budget appeals, the sale of pledge orders, and the publication of notices for public improvement bids, with report of committee recommending amendment and passage was taken up for consideration.

Hall of Linn offered amendment H—3665 filed by the committee on cities on April 2, 1979 and found on page 1268 of the House Journal and moved its adoption.

Amendment H—3665 was adopted.

Hall 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. 282)

The ayes were, 89:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Cannolly	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Oxley
Pavich	Pellet	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Connors	Cusack	Egenes	Howell
Lind	Loneragan	Norland	Patchett
Perkins	Smalley	Stromer	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 322 WITHDRAWN

McKean of Jones asked and received unanimous consent to withdraw House File 322 from further consideration by the House.

HOUSE FILE 666 WITHDRAWN

Krewson of Polk asked and received unanimous consent to withdraw House File 666 from further consideration by the House.

House File 717, a bill for an act relating to timber buyers and providing penalties, was taken up for consideration.

Welsh of Dubuque offered the following amendment H-3756 filed by him and moved its adoption:

H-3756

- 1 Amend House File 717 as follows:
- 2 1. Page 3, by inserting after line 27 the
- 3 following new paragraph:
- 4 "g. For a person to purchase timber without
- 5 obtaining, prior to taking possession of the timber,
- 6 written proof of the vendor's ownership of the
- 7 timber or the written consent of the owner of the
- 8 timber. The purchaser shall keep the written proof,
- 9 of ownership or consent on file for at least three
- 10 months from the date the timber was released to
- 11 the purchaser's possession."

Amendment H-3756 was adopted.

Larsen of Wapello 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. 717)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Gettings
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, 5:

Chiodo	Danker	Hullinger	Lageschulte
Woods			

Absent or not voting, 9:

Cusack	Egenes	Groth	Halvorson, R.N.
Lonergan	Norland	Patchett	Poffenberger
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE CONCURRENT RESOLUTION 16

By Cochran and Lloyd-Jones

- 1 *Whereas*, the general assembly created a process for
- 2 developing recommendations on land use policy in the
- 3 passage of Acts of the Sixty-seventh General Assembly,
- 4 1977 Session, chapter 53, which is now chapter 93A of
- 5 the Code; and
- 6 *Whereas*, ninety-nine county commissions held three
- 7 hundred twelve public hearings at which nearly seven
- 8 thousand five hundred citizens attended to develop the
- 9 policy recommendations; and

10 *Whereas*, the temporary state land preservation policy
 11 commission received and studied the reports from the
 12 ninety-nine county commissions, state agencies, and other
 13 parties and has made a report to the general assembly of
 14 its recommendations; and

15 *Whereas*, the final report of the temporary state land
 16 preservation policy commission will be available May 1,
 17 1979; *Now Therefore*,

18 *Be It Resolved By The House Of Representatives, The*
 19 *Senate Concurring*, That the legislative council is authorized
 20 to establish an interim legislative study conducted by a
 21 joint subcommittee of the committees on natural resources
 22 of the Senate and the House of Representatives to study
 23 the report of the temporary state land preservation policy
 24 commission and to make a report to the legislative council
 25 and the general assembly meeting in the year 1980 containing
 26 its recommendations relating to a land use policy for the
 27 state, which report shall be accompanied by bill drafts
 28 necessary to carry out the recommendations.

Laid over under Rule 30.

HOUSE RESOLUTION 33

By Conlon

1 *Whereas*, the city of Walcott, Iowa, is nearing
 2 the one hundred twenty-fifth anniversary of its
 3 incorporation as a city; and

4 *Whereas*, the citizens of Walcott, Iowa, are
 5 preparing for an anniversary celebration "Walcott
 6 Day" on July 21, 1979, to commemorate the one
 7 hundred twenty-fifth anniversary of the city's
 8 incorporation; *Now Therefore*,

9 *Be It Resolved by the House of Representatives*,
 10 That the membership of the House of Representatives
 11 of the Sixty-eighth General Assembly of the State of
 12 Iowa extends its heartiest congratulations to the
 13 city of Walcott, Iowa, in commemoration of the one
 14 hundred twenty-fifth anniversary of its incorporation
 15 in this year of 1979; and

16 *Be It Further Resolved*, That a copy of this
 17 resolution be forwarded to the mayor and the citizens
 18 of Walcott who are in charge of making preparations
 19 for the one hundred twenty-fifth anniversary
 20 celebration.

Laid over under Rule 30.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing

that on April 5, 1979, he approved and transmitted to the Secretary of State the following bill:

Senate Joint Resolution 9, a joint resolution to create a special study committee on county statutes and to make an appropriation.

**COMMUNICATION FROM IOWA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

The Annual Report 1977-1978 of the Iowa Department of Environmental Quality was received and is on file in the office of the Chief Clerk.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 6, 1979. Had I been present, I would have voted "aye" on Senate File 81.

JAY of Appanoose

I was necessarily absent from the House chamber on April 6, 1979. Had I been present, I would have voted "aye" on Senate File 81.

SHULL of Warren

I was necessarily absent from the House chamber on April 4, 1979. Had I been present, I would have voted "nay" on amendment H-3627 to House File 701.

DIELEMAN of Marion

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixteen seventh and eighth grade students from Clay Central Junior High School, Royal, Iowa, accompanied by Mr. Schemmel and Alice Schar. By Groth of Buena Vista.

Sixteen seventh and eighth grade students from St. Mary School, Storm Lake, Iowa, accompanied by Mr. Dale Lass and Miss Dawn Lorenz. By Groth of Buena Vista.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 15

Human Resources: Krewson, Chair; Hoffmann and Arnould.

House File 714

Ways and Means: Conlon, Chair; Lorenzen and Hall.

House File 724

Appropriations: Stromer, Chair; Harbor and Miller.

Senate File 221

Transportation: Lageschulte, Chair; Daggett and Hullinger.

Senate File 278

Transportation: Tofte, Chair; Pellett and Binneboese.

Senate File 388

Energy: Krewson, Chair; Poffenberger and Howell.

Senate File 423

Judiciary and Law Enforcement: Walter, Chair; Patchett and Anderson of Audubon.

Senate File 426

Judiciary and Law Enforcement: Patchett, Chair; Johnson of Howard and Anderson of Audubon.

Senate File 431

Human Resources: Lind, Chair; Husak and Arnould.

Senate File 432

Human Resources: Mullins, Chair; Shimanek, Connors and Sherzan.

Senate File 437

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Smalley.

Senate File 442

State Government: Hansen of O'Brien, Chair; Crawford and Hinkhouse.

Senate File 447

Agriculture: Hummel, Chair; Van Maanen and Hinkhouse.

Senate File 449

State Government: Hansen of O'Brien, Chair; Lura and Dieleman.

Senate File 461

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Senate File 462

Judiciary and Law Enforcement: Jesse, Chair; Clark of Cerro Gordo and Conlon.

Senate File 475

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Senate File 476

Judiciary and Law Enforcement: Ritsema, Chair; Walter and Pelton.

Senate File 478

Judiciary and Law Enforcement: Pelton, Chair; Ritsema and Walter.

Senate File 479

Judiciary and Law Enforcement: Pelton, Chair; Ritsema and Walter.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 232**

Ways and Means: West, Chair; Schnekloth and Norland.

Study Bill 233

Ways and Means: Thompson, Chair; Brandt and Conlon.

Study Bill 235

Ways and Means: Conlon, Chair; Lorenzen and Hall.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

Recommended **Do Pass**.

COMMITTEE ON COUNTY GOVERNMENT

Senate File 314, a bill for an act to permit counties to sell property to the state department of transportation to be used for transportation purposes.

Recommended **Amend and Do Pass**.

H-3763

- 1 Amend Senate File 314, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, line 9, by striking the word "transporta-
- 4 tion" and inserting in lieu thereof the word "highway".
- 5 2. Page 1, line 9, by inserting after the word
- 6 "shall" the words "hold a public hearing, which may
- 7 be held at its regular board meeting, and".
- 8 3. Amend the title, line 2, by striking the words
- 9 "transportation purposes" and inserting in lieu thereof
- 10 the words "highway purposes".

Fiscal note is not required.

COMMITTEE ON HUMAN RESOURCES

Senate File 451, a bill for an act relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency.

Recommended **Do Pass**.

COMMITTEE ON WAYS AND MEANS

Study Bill 230, relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land, by including transmission towers and antennae not a part of a household, and by providing that certain property is not attached when it ordinarily is removed when the property owner moves to another location.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3766	S.F. 373	Tyrrell of Iowa Maulsby of Calhoun Anderson of Audubon Danker of Pottawattamie Swearingen of Keokuk
H-3767	H.F. 734	Avenson of Fayette
H-3768	S.F. 448	Bina of Scott
H-3769	S.F. 373	Kirkenslager of Des Moines
H-3770	S.F. 373	Miller of Buchanan
H-3771	S.F. 373	Miller of Buchanan
H-3772	S.F. 373	Miller of Buchanan
H-3774	S.F. 462	Bruner of Story Daggett of Taylor Jesse of Polk
H-3775	S.F. 373	Avenson of Fayette O'Kane of Woodbury Horn of Linn Cochran of Webster Spear of Lee Doyle of Woodbury Pavich of Pottawattamie Bruner of Story Davitt of Warren Howell of Floyd Connolly of Dubuque Gettings of Wapello
		Welsh of Dubuque Walter of Pottawattamie Lloyd-Jones of Johnson Sherzan of Polk Hullinger of Decatur Wells of Linn Binneboese of Plymouth Hall of Linn Jay of Appanoose Anderson of Jasper Halvorson of Webster Dieleman of Marion
H-3776	S.F. 373	Connors of Polk
H-3777	S.F. 373	Connors of Polk
H-3778	S.F. 373	Byerly of Polk
H-3779	S.F. 373	Byerly of Polk
H-3780	S.F. 373	Horn of Linn
H-3781	S.F. 373	Jochum of Dubuque Kirkenslager of Des Moines
H-3782	S.F. 373	Connolly of Dubuque
H-3783	S.F. 373	Jochum of Dubuque
H-3784	S.F. 373	Connors of Polk
H-3785	S.F. 373	Rapp of Black Hawk
H-3786	S.F. 373	Connolly of Dubuque
H-3787	S.F. 373	Jochum of Dubuque

H-3788	S.F. 373	Byerly of Polk Avenson of Fayette Anderson of Jasper Davitt of Warren Horn of Linn
H-3789	S.F. 373	Byerly of Polk
H-3790	S.F. 373	Avenson of Fayette
H-3791	S.F. 373	Byerly of Polk Cochran of Webster Davitt of Warren
H-3792	S.F. 373	Avenson of Fayette Davitt of Warren Halvorson of Webster Pavich of Pottawattamie Cochran of Webster
H-3793	S.F. 373	Anderson of Jasper
H-3794	S.F. 373	Welsh of Dubuque
H-3795	S.F. 373	Jesse of Polk
H-3796	S.F. 373	Avenson of Fayette Davitt of Warren Halvorson of Webster Pavich of Pottawattamie Cochran of Webster
H-3797	S.F. 373	Cochran of Webster Gettings of Wapello Pavich of Pottawattamie
H-3798	S.F. 373	Avenson of Fayette
H-3799	S.F. 373	Howell of Floyd Jochum of Dubuque Connors of Polk
H-3800	S.F. 373	Jochum of Dubuque
H-3801	S.F. 373	Jochum of Dubuque Jesse of Polk
H-3802	S.F. 373	Jesse of Polk
H-3803	S.F. 373	Avenson of Fayette
H-3804	S.F. 373	Avenson of Fayette
H-3805	S.F. 373	Jesse of Polk
H-3806	S.F. 373	Jesse of Polk Anderson of Jasper Brandt of Black Hawk
H-3807	S.F. 373	Jochum of Dubuque
H-3808	S.F. 373	Anderson of Jasper

On motion by Halvorson of Clayton the House adjourned at 10:48 a.m., until 10:00 a.m., Monday, April 9, 1979.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day — Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 9, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Don H. Polston, pastor of the Sunnyside Temple Church, Waterloo, Iowa.

The Journal of Friday, April 6, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. P. J. Crowley, Davenport, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Egenes of Story for a portion of the day and Crawford of Story on request of Clark of Lee.

PRESENTATION OF VISITORS

Menke of O'Brien presented to the House the Honorable Walter W. P. Kruse, former member of the House representing Clay and O'Brien Counties.

The Speaker announced that the following visitors were present in the House chamber:

Forty students (choir members) from St. John's United Methodist Church, Davenport, Iowa, accompanied by Mike Ferrell. By Bina of Scott.

Forty-seven fifth grade students from Beeman-Conrad-Liscomb Elementary School, Conrad, Iowa, accompanied by Mary Piper. By West of Marshall and Evans of Grundy.

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 on April 5, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 657, a bill for an act making a supplemental appropriation to the department of social services for aid to dependent children.

Also: That the Senate has on April 5, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 679, a bill for an act establishing a committee to review the regulation of occupations.

Also: That the Senate has on April 5, 1979, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 14, providing for interim studies to be determined by the Legislative Council.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 679

H-3810

1 Amend House File 679 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by inserting after line 15 the
4 following:

5 "3. Its practice has inherent within it qualities
6 peculiar to it that distinguishes it from ordinary
7 work and labor."

8 2. Page 1, by striking line 17 through page 2,
9 line 6, and inserting in lieu thereof the following:

10 "Sec. 2. NEW SECTION. COMMISSION ESTABLISHED.

11 1. There is created a commission on professional
12 and occupational regulation. The commission shall
13 be bipartisan and shall be composed of the following
14 members:

15 a. Two senators, not more than one from the same
16 political party, appointed by the president of the
17 senate.

18 b. Two representatives, not more than one from
19 the same political party, appointed by the speaker
20 of the house.

21 c. Five persons, not more than three from the
22 same political party, appointed by the governor and
23 confirmed by two-thirds of the members of the senate.

24 2. A commission member shall be appointed for
25 a term of four years. A member shall serve until
26 a successor is appointed. A vacancy on the commission
27 shall be filled by the original appointing authority

28 for the remainder of the term. A vacancy shall exist
 29 whenever a commission member ceases to be a member
 30 of the house from which the member was appointed.
 31 A member of the commission shall not be a member of
 32 a licensed profession or occupation.

33 3. The persons appointed by the governor, and
 34 the legislative members when the general assembly
 35 is not in session, shall be paid forty dollars per
 36 diem and actual and necessary expenses.

37 4. The commission shall organize annually and
 38 elect a chairperson."

39 3. Page 2, line 8, by striking the word "committee"
 40 and inserting in lieu thereof the word "commission".

41 4. Page 2, line 9, by inserting after the word
 42 "occupations" the words "which are not regulated by
 43 the state".

44 5. Page 2, line 12, by striking the words "or
 45 continue to be".

46 6. Page 2, by striking lines 14 through 19 and
 47 inserting in lieu thereof the following: "be imposed.
 48 The commission shall evaluate an occupation or
 49 profession which is seeking to be regulated. The
 50 general assembly may, by concurrent resolution, direct

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1 an evaluation of a particular occupation or profession
 2 including those which are regulated by the state.
 3 The commission shall file an annual report of its
 4 evaluations and recommendations with the chief clerk
 5 of the house of representatives and the secretary
 6 of the senate upon the convening of each session of
 7 the general assembly."

8 7. Page 2, line 20, by striking the word
 9 "committee" and inserting in lieu thereof the word
 10 "commission".

11 8. Page 3, line 4, by striking the word "committee"
 12 and inserting in lieu thereof the word "commission".

13 9. Page 3, by inserting after line 30 the follow-
 14 ing:

15 "i. Whether the profession or occupation is re-
 16 quired to be regulated by the federal government or
 17 an agency thereof.

18 j. Whether the practitioner performs a service
 19 for others which would qualify for payment of part
 20 or all of those services by a third party if the
 21 practitioner were to be regulated as provided in this
 22 Act.

23 k. Whether there is sufficient demand for the
 24 service for which there is no substitute which is
 25 not similarly regulated and this service is required

26 by a substantial portion of the population.

27 1. The view of a substantial portion of the people
28 who do not practice the particular profession or
29 occupation."

30 10. Page 3, by inserting after line 32 the follow-
31 ing:

32 "Sec. 5. In making the initial appointments under
33 section two (2) of this Act, the governor shall appoint
34 two of the five citizen members to terms of two years."

35 11. By renumbering and relettering the sections
36 and paragraphs to conform with this amendment.

SENATE CONCURRENT RESOLUTION 14

By Hultman and Junkins

1 *Whereas*, many resolutions have been introduced in
2 both the Senate and House of Representatives calling
3 for interim studies; and

4 *Whereas*, several legislators have indicated a desire
5 to introduce resolutions proposing additional interim
6 studies; and

7 *Whereas*, the time period between the 1979 session
8 and the 1980 session of the Sixty-eighth General
9 Assembly is limited and there have been proposals
10 for studies which appear to have merit but, because
11 of their complexity and number, cannot all be properly
12 conducted during the next interim period; and

13 *Whereas*, subcommittees of standing committees may
14 desire to study bills presently before the general
15 assembly which will carry over to the 1980 session of
16 the Sixty-eighth General Assembly; and

17 *Whereas*, it is impractical to debate the relative
18 merit of all proposals; *Now Therefore*,

19 *Be It Resolved by the Senate, the House Concurring*,
20 That all resolutions calling for interim studies which
21 have not been adopted by both houses be delivered by
22 the Secretary of the Senate, on the part of the Senate,
23 and the Chief Clerk of the House, on the part of the
24 House, to the Legislative Council, which shall deter-
25 mine priorities and shall authorize such studies as may
26 be feasible within the limits of the staff, time and
27 funds available; and

28 *Be It Further Resolved*, That any legislator desiring
29 to propose any interim study not already contained in a
30 resolution already filed shall submit a letter to the

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1 Secretary of the Senate or the Chief Clerk of the
2 House describing the study; and

3 *Be It Further Resolved*, That the Secretary of the
4 Senate and Chief Clerk of the House shall deliver such

- 5 letters to the Legislative Council with any resolu-
- 6 tions already filed. The Legislative Council shall
- 7 give equal consideration to all studies proposed,
- 8 whether by letter or resolution.

Laid over under Rule 30.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 373**, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code.

Pope of Polk asked and received unanimous consent to suspend Rule 25 and that Mr. Paul H. Moran, Claims Chief, Job Service of Iowa, be permitted in the House chamber during consideration of Senate File 373.

Pope of Polk offered amendment H-3713 filed by the committee on labor and industrial relations on April 4, 1979 and found on pages 1343 through 1347 of the House Journal and requested division as follows:

H-3713A, lines 3 through 18, page 1.

H-3713B, line 19, page 1.

H-3713C, lines 20 through 46, page 1.

H-3713D, lines 47 through 50, page 1; lines 1 through 12, page 2.

H-3713E, lines 13 through 19 and lines 32 through 34, page 2.

H-3713F, lines 20 through 31, page 2.

H-3713G, lines 35 through 50, page 2; lines 1 through 18, page 3.

H-3713H, lines 19 through 21, page 3.

H-3713I, lines 22 through 27 and lines 34 through 36, page 3.

H-3713J, lines 28 through 33, page 3.

H-3713K, lines 37 through 43, page 3.

H-3713L, lines 44 through 50, page 3; lines 1 through 11, page 4.

H-3713M, lines 12 through 33, page 4.

Pope of Polk asked and received unanimous consent to withdraw the committee amendment H-3713D, placing out of order the following amendments, to amendment H-3713D:

H-3718 filed by Kirkenlager of Des Moines on April 4, 1979.

H-3776 filed by Connors of Polk on April 6, 1979.

Halvorson of Clayton moved the previous question on Senate File 373, excluding debate.

Roll call was requested by Avenson of Fayette and Anderson of Jasper.

On the question "Shall the previous question motion prevail?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 5:

Crawford	Doyle	Egenes	Lonergan
Tofte			

The motion prevailed.

Avenson of Fayette moved to suspend the rules and adopt the following amendment H-3775, filed by Avenson, et al.:

H-3775

1 Amend Senate File 373, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section ninety-six point four (96.4),
6 subsection five (5), paragraph b, Code 1979, is amended
7 to read as follows:

8 b. Benefits based on service in employment, defined
9 in section 96.19, subsection 6, and based on service
10 after December 31, 1977 in an instructional, research,
11 or principal administrative capacity for an educational
12 institution operated by a government entity or a
13 nonprofit organization, shall not be paid to an
14 individual for any week of unemployment which begins
15 during the period between two successive academic
16 years or terms, (or, when an agreement provides instead
17 for a similar period between two regular but not
18 successive terms, during such period) to any individual
19 if such individual performs such services in the first
20 of such academic years or terms and if there is a
21 contract or reasonable assurance that such individual
22 will perform services in any such capacity for any
23 educational institution the second of such academic
24 years or terms, or during a period of paid sabbatical
25 leave, provided for in the individual's contract,
26 and

27 Sec. 2. Section ninety-six point five (96.5),
28 subsection one (1), unnumbered paragraph one (1) and
29 paragraph a, Code 1979, are amended to read as follows:

30 If he or she has left his or her work voluntarily
31 without good cause attributable to his or her employer,
32 if so found by the department. However, the individual
33 shall requalify for benefits if, subsequent to
34 voluntarily leaving the employment, the individual
35 works in and is paid wages for insured work for not
36 less than six consecutive weeks or equal to ten times
37 the individual's weekly benefit amount, whichever
38 occurs first, provided the individual is otherwise
39 eligible. A "week of work" means a week in which
40 an individual earns wages equal to or exceeding twenty-
41 five percent of the statewide average weekly wage.

42 NEW PARAGRAPH. But he or she shall not be
43 disqualified if the department finds that:

44 a. He or she left his or her employment in good
45 faith for the sole purpose of accepting other
46 employment, which he or she did accept, and that he
47 or she remained continuously in said new employment
48 for not less than six weeks. Wages earned with the
49 employer that he or she has left shall, for the purpose
50 of computing and charging benefits, be deemed wages

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1 earned from the employer with whom the individual
2 accepted other employment and benefits shall be charged
3 to the employer with whom he or she accepted other
4 employment. The department shall advise the chargeable
5 employer of the name and address of the former
6 employer, the period covered, and the extent of
7 benefits which may be charged to the account of the
8 chargeable employer. In those cases where the new
9 employment is in another state, no employer's account
10 shall be charged with benefits so paid except that
11 employers who are required by law or by their election
12 to reimburse the fund for benefits paid shall be
13 charged with benefits under this paragraph. In those
14 cases where he or she left his or her employment in
15 good faith for the sole purpose of accepting better
16 employment, which he or she did accept and such
17 employment is terminated by the employer, or he or
18 she is laid off after one week but prior to the
19 expiration of six weeks, the claimant, provided he
20 or she is otherwise eligible under this chapter, shall
21 be eligible for benefits and such benefits shall not
22 be charged to any employer's account.

23 Sec. 3. Section ninety-six point five (96.5),
24 subsection one (1), paragraph g, Code 1979, is amended
25 by striking the paragraph.

26 Sec. 4. Section ninety-six point five (96.5),
27 subsection two (2), paragraph a, Code 1979, is amended
28 to read as follows:

29 a. ~~He or she~~ The individual shall forfeit one
30 to nine fourteen weeks benefits.

31 Sec. 5. Section ninety-six point five (96.5),
32 subsection five (5), Code 1979, is amended to read
33 as follows:

34 5. OTHER COMPENSATION. For any week with respect
35 to which ~~he or she~~ the individual is receiving or
36 has received payment in the form of:

37 a. Wages in lieu of notice;

38 b. Compensation for temporary disability under
39 the workers' compensation law of any state or under
40 a similar law of the United States;

41 c. Old-age benefits under title II of the Social
42 Security Act (42 USC, chapter 7), as amended, or
43 similar retirement payments under any Act of Congress;
44 however only fifty percent of the old-age benefits
45 under title II of the Social Security Act shall be
46 deducted from his or her weekly benefits;

47 d. Benefits paid as retirement pay or as private
48 pension A governmental or other pension, retirement
49 or retired pay, annuity, or any other similar periodic
50 payment which is based on the previous work of the

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1 individual.

2 Provided, that if such remuneration is less than
3 the benefits which would otherwise be due under this
4 chapter, he or she the individual shall be entitled
5 to receive for such week, if otherwise eligible,
6 benefits reduced by the amount of such remuneration.
7 Provided further, if benefits were paid for any week
8 under this chapter for a period when benefits,
9 remuneration or compensation under paragraphs "a",
10 "b", "c", or "d", of this subsection were paid on
11 a retroactive basis for the same period, or any part
12 thereof, the department shall recover any such excess
13 amount of benefits paid by the department for such
14 period, and no employer's account shall be charged
15 with benefits so paid, provided further, however,
16 that retirement pay or compensation for service-
17 connected disabilities or pensions and compensation
18 for accrued leave based on military service, by the
19 beneficiary, with the armed forces of the United
20 States, irrespective of the amount of the benefit,
21 shall in no way disqualify any individual, otherwise
22 qualified, from any of the benefits contemplated
23 herein.

24 Sec. 6. Section ninety-six point six (96.6),
25 subsection eight (8), Code 1979, is amended to read
26 as follows:

27 8. JUDICIAL REVIEW. A decision of the appeal
28 board shall become final ten days after the date of
29 notification or mailing thereof. Judicial review
30 of any decision of the appeal board may be sought
31 in accordance with the terms of the Iowa administrative
32 procedure Act. An application for rehearing shall
33 be filed pursuant to section seventeen A point sixteen
34 (17A.16) of the Code. A petition for judicial review
35 of a decision of the department or of the appeal board
36 shall be filed pursuant to section seventeen A point
37 nineteen (17A.19) of the Code. The department may
38 be represented in any such judicial review proceeding
39 by any qualified attorney who is a regular salaried
40 employee of the department or who has been designated
41 by the department for that purpose, or at the
42 department's request, by the attorney general.
43 Notwithstanding the terms of the Iowa administra-
44 tive procedure Act, petitions for judicial review
45 may be filed in the district court of the county in
46 which the claimant was last employed or resides,
47 provided that if the claimant does not reside in the
48 state of Iowa the action shall be brought in the
49 district court of Polk county, Iowa, and any other
50 party to the proceeding before the appeal board shall

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1 be named in the petition. Notwithstanding the thirty-
2 day requirement in section seventeen A point nineteen
3 (17A.19), subsection six (6) of the Code, the
4 department shall, within sixty days after filing of
5 the petition for judicial review or within a longer
6 period of time allowed by the court, transmit to the
7 reviewing court the original or a certified copy of
8 the entire record of a contested claim. The department
9 may also certify to such courts, questions of law
10 involved in any decision by it. Petitions for judicial
11 review and the questions so certified shall be given
12 precedence over all other civil cases except cases
13 arising under the workers' compensation law of this
14 state. No bond shall be required for entering an
15 appeal from any final order, judgment or decree of
16 the district court to the supreme court.

17 Sec. 7. Section ninety-six point seven (96.7),
18 subsection one (1), paragraph a, Code 1979, is amended
19 to read as follows:

20 a. On and after July 1, 1936, contributions
21 Contributions shall accrue on all taxable wages paid
22 by an employer for insured work.

23 Sec. 8. Section ninety-six point seven (96.7),
24 subsection two (2), Code 1979, is amended by striking
25 the subsection.

26 Sec. 9. Section ninety-six point seven (96.7),
27 subsection three (3), paragraph a, subparagraphs one
28 (1), two (2), and three (3), Code 1979, is amended
29 to read as follows:

30 a. EMPLOYER ACCOUNT CHARGES.

31 (1) The department shall maintain a separate
32 account for each employer and shall credit his or
33 her account with all contributions which he or she
34 has paid or which have been paid on his or her behalf.

35 (2) The amount of regular benefits plus fifty
36 percent of the amount of extended benefits, as
37 determined under section 96.29, paid to an eligible
38 individual shall be charged against the account of
39 the employers in the base period in the inverse
40 chronological order in which the employment of such
41 individual occurred.

42 (3) Provided, that in any case in which a claimant
43 to whom such benefits are paid is in the employ of
44 a base period employer at the time he or she is
45 receiving such benefits, and he or she is receiving
46 the same employment from such employer that he or
47 she received during his or her base period, then no
48 charge of benefits paid to such claimant shall be
49 made against the account of such employer.

50 (4) No An employer's account shall not be charged

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1 with benefit payments made to any individual who quit
2 such employment has left the work of the employer
3 voluntarily without good cause attributable to the
4 employer, but shall be charged to the account of the
5 next succeeding employer with whom the individual
6 requalified for benefits as determined under section
7 96.5, subsection 1, unnumbered paragraph "g" one (1).

8 (5) Wages earned from an employer that an
9 individual has left voluntarily without good cause
10 attributable to the employer shall, for the purpose
11 of computing and charging benefits, be deemed wages
12 earned from the employer with whom the individual
13 accepted other employment and benefits shall be charged
14 to the employer with whom the individual accepted
15 other employment. However, a succeeding employer's
16 account shall not be charged with benefits due to
17 a transfer of wages from a previous employer's account
18 to the succeeding employer's account if the transferred
19 benefit charges would reduce the employer's percentage
20 of excess by more than four one-thousandths. The
21 department shall advise the chargeable employer of
22 the name and address of the former employer, the
23 period covered, and the extent of benefits which may
24 be charged to the account of the chargeable employer.
25 In those cases where the new employment is in another
26 state, no employer's account shall be charged with
27 benefits so paid except that employers who are required
28 by law or by their election to reimburse the fund
29 for benefits paid shall be charged with benefits under
30 section ninety-six point five (96.5) of the Code.
31 However, if the individual accepted the better
32 employment and the employment is terminated or the
33 individual is laid off after one week but prior to
34 the expiration of six weeks, the individual's benefits
35 shall not be charged to any employer's account.

36 (3) (6) The amount of regular benefits so charged
37 in any calendar quarter against the account of any
38 employer shall not exceed the amount of such
39 individual's wage credits based on employment with
40 such employer during such quarter. The amount of
41 extended benefits so charged in any calendar quarter
42 against the account of any employer shall not exceed
43 an additional fifty percent of the amount of such
44 individual's wage credits based on employment with
45 such employer during such quarter except that all
46 extended benefits shall be so charged if a government
47 reimbursable employer pays all extended benefits under
48 subsection eight (8), paragraph c of this section.

49 Sec. 10. Section ninety-six point seven (96.7),
50 subsection three (3), paragraph c, Code 1979, is

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1 amended to read as follows:

2 3. EMPLOYER CONTRIBUTION RATES.

3 e. a. Each contributing employer's rate of
4 contribution shall be two and seven-tenths percent
5 except as otherwise provided in this chapter. No
6 reduced rate of contribution shall be granted to a
7 contributing employer until there shall have been
8 twelve consecutive calendar quarters immediately
9 preceding the first computation date throughout which
10 his or her account has been chargeable with benefit
11 payments. ~~Provided, that with respect to the calendar~~
12 ~~year commencing January 1, 1972, and each calendar~~
13 ~~year thereafter, except~~ Except as provided in paragraph
14 "d" of this subsection, a contributing employer who
15 has not been subject to this chapter for a sufficient
16 period of time to meet the twelve-quarter requirement
17 shall qualify for a computed rate of contribution
18 if there shall have been a lesser period throughout
19 which his or her account has been chargeable, but
20 in no event less than eight consecutive calendar
21 quarters immediately preceding the computation date;
22 provided further, that with respect to the calendar
23 years commencing January 1, 1972, and ending December
24 31, 1977, ~~except as provided in paragraph "d" of this~~
25 ~~subsection 1978, each contributing employer newly~~
26 ~~subject to this chapter shall pay contributions at~~
27 ~~the rate of one and five-tenths percent and beginning~~
28 ~~January 1, 1978 at the rate specified in the ninth~~
29 ~~percentage of excess rank but not less than one point~~
30 ~~eight six percent on two-thirds of the employer's~~
31 ~~annual payroll and at the rate specified in the sixth~~
32 ~~percentage of excess rank but not less than one percent~~
33 ~~on one-third of the employer's annual payroll until~~
34 ~~the end of the calendar year in which the employer~~
35 ~~shall have had eight consecutive calendar quarters~~
36 ~~immediately preceding the computation date throughout~~
37 ~~which his or her account has been chargeable with~~
38 ~~benefit payments, thereafter his or her contribution~~
39 ~~rate shall be determined in accordance with paragraph~~
40 ~~"d" "b" of this subsection.~~

41 Sec. 11. Section ninety-six point seven (96.7),
42 subsection three (3), paragraph d, unnumbered paragraph
43 four (4), Code 1979, is amended to read as follows:
44 Each employer qualified for an experience rating
45 shall be assigned a contribution rate for each rate
46 year that corresponds to the employer's percentage
47 of excess rank in the rate table effective for the
48 rate year from the following rate tables. Each
49 employer's percentage of excess rank shall be computed
50 by listing all the employers by decreasing percentages

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1 of excess, from the highest positive percentage of
2 excess to the highest negative percentage of excess
3 and grouping the employers so listed into twenty-one
4 separate ranks containing as nearly as possible four
5 point seventy-six percent of the total taxable wages,
6 excluding reimbursable employment wages, paid in
7 covered employment during the first four completed
8 calendar quarters immediately preceding the rate
9 computation date. If an employer's taxable wages
10 qualify the employer for two separate percentage of
11 excess ranks the employer shall be afforded the
12 percentage of excess rank assigned the lower
13 contribution rate. However, if the employer's taxable
14 wages, which qualify the employer for the percentage
15 of excess assigned the higher contribution rate,
16 exceed an amount equal to ten times the statewide
17 average annual wage such taxable wages shall be
18 afforded the percentage of excess assigned the higher
19 contribution rate. Employers with identical
20 percentages of excess shall be assigned to the same
21 percentage of excess rank.

22 Sec. 12. Section ninety-six point seven (96.7),
23 subsection three (3), paragraph d, unnumbered paragraph
24 six (6), Code 1979, is amended to read as follows:

25 Provided, however, that notwithstanding any other
26 provisions of this chapter, the applicable contribution
27 rate table for the calendar years ~~1978~~ and year 1979
28 will be table two if the ratio of the current reserve
29 fund ratio to the highest benefit cost rate on the
30 rate computation date is less than 0.75. However,
31 notwithstanding any other provision of this chapter,
32 the applicable contribution rate table for the calendar
33 year 1980 shall be table three unless the ratio of
34 the current reserve fund ratio to the highest benefit
35 cost rate on the rate computation date is 1.0 or
36 higher. Provided further that during any rate year
37 in which a rate table in rate tables ~~four~~ three through
38 nine is effective an employer assigned a contribution
39 rate under the provisions of this paragraph shall
40 not be required to contribute to the unemployment
41 compensation trust fund if the employer's percentage
42 of excess is seven point five percent or greater for
43 the rate year and the employer has not been charged
44 with benefit payments for any time within the ~~forty~~
45 twenty-eight calendar quarters immediately preceding
46 the rate computation date for the rate year.

47 Sec. 13. Section ninety-six point seven (96.7),
48 subsection three (3), Code 1979, is amended by adding
49 the following new paragraphs:

50 NEW PARAGRAPH. Notwithstanding any provision of

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1 this chapter to the contrary, an employer's rate of
2 contribution shall not increase by more than three
3 percentage of excess ranks in the appropriate table
4 if the employer's account is charged with benefit
5 payments of less than forty times the maximum weekly
6 benefit amount.

7 **NEW PARAGRAPH.** If an employer has not filed a
8 contribution or payroll quarterly report, as required
9 under section ninety-six point eleven (96.11),
10 subsection seven (7) of the Code, for a calendar
11 quarter which precedes the computation date and upon
12 which the employer's rate of contribution is computed,
13 the employer's average annual taxable payroll shall
14 be computed by adding the taxable wages in the
15 appropriate quarterly reports on file and dividing
16 that sum by the number of years and quarters of years
17 for which quarterly reports are on file.

18 If a delinquent quarterly report is received by
19 November fifteenth immediately following the
20 computation date the rate of contribution shall be
21 recomputed by using the taxable wages in all the
22 appropriate quarterly reports on file to determine
23 the average annual taxable payroll.

24 If a delinquent quarterly report is received after
25 November fifteenth following the computation date
26 the rate of contribution shall not be recomputed,
27 unless the rate is appealed in writing to the
28 department under paragraph e of this subsection and
29 the delinquent quarterly report received after November
30 fifteenth is also submitted not later than thirty
31 days after the department notifies the employer of
32 the rate under paragraph e of this subsection.

33 Sec. 14. Section ninety-six point seven (96.7),
34 subsection four (4), Code 1979, is amended by adding
35 the following new paragraph:

36 **NEW PARAGRAPH. EMPLOYER LIABILITY DETERMINATION.**

37 The department shall initially determine all questions
38 relating to the liability of an employing unit or
39 employer, including the amount of contribution, the
40 rate of contribution, and successorship. A copy of
41 the initial determination shall be sent by regular
42 mail to the last address, according to the records
43 of the department, of each affected employing unit
44 or employer.

45 The affected employing unit or employer may appeal
46 in writing to the department from the initial
47 determination. An appeal shall not be entertained
48 for any reason by the department unless the appeal
49 is filed with the department within thirty days from
50 the date on which the initial determination is mailed.

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1 If an appeal is not so filed, the initial determination
2 shall with the expiration of the appeal period become
3 final and conclusive in all respects and for all
4 purposes.

5 A hearing on an appeal shall be conducted according
6 to the regulations and rules promulgated by the
7 department. A copy of the decision of the hearing
8 officer shall be sent by regular mail to the last
9 address, according to the records of the department,
10 of each affected employing unit or employer.

11 The department's decision on the appeal shall be
12 final and conclusive as to the liability of the
13 employing unit or employer unless the employing unit
14 or employer files an appeal for judicial review within
15 thirty days after the date of mailing of the decision
16 as provided in subsection six (6) of this section.

17 Sec. 15. Section ninety-six point seven (96.7),
18 subsection eight (8), paragraph a, Code 1979, is
19 amended to read as follows:

20 a. A government entity which is an employer under
21 the provisions of this chapter shall make benefit
22 payments in a manner provided for a government
23 reimbursable employer unless the employer elects to
24 pay unemployment compensation benefits as a
25 contributing employer. Government entities may
26 establish a group account as provided in this section.
27 Any election under this subsection to be a government
28 contributing employer shall be effective for a minimum
29 of two one calendar years year and may be changed
30 if an election is made to be a government reimbursable
31 employer prior to December ~~1~~ first for a minimum of
32 the ~~two~~ following calendar years year.

33 Sec. 16. Section ninety-six point seven (96.7),
34 subsection eight (8), paragraph b, unnumbered paragraph
35 one (1), Code 1979, is amended to read as follows:

36 For the purposes of this subsection "government
37 contributing employer" means a government entity
38 electing to contribute for a minimum period of ~~two~~
39 one calendar years year at a contribution rate
40 determined by the department in the following manner:

41 Sec. 17. Section ninety-six point seven (96.7),
42 subsection eight (8), paragraph b, subparagraph one
43 (1), Code 1979, is amended by striking the
44 subparagraph.

45 Sec. 18. Section ninety-six point seven (96.7),
46 subsection eight (8), paragraph b, Code 1979, is
47 amended by adding the following new subparagraphs:

48 NEW SUBPARAGRAPH. For the calendar year beginning
49 January 1, 1980 the contribution rate shall be computed
50 by the department immediately preceding the rate

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1 computation date by using the potential benefit charges
 2 of all government contributing employers for calendar
 3 year 1978 divided by the total of all taxable wages
 4 of government contributing employers for calendar
 5 year 1978.

6 **NEW SUBPARAGRAPH.** For the calendar year beginning
 7 January 1, 1981 and each subsequent year, each
 8 government contributing employer with at least eight
 9 consecutive calendar quarters immediately preceding
 10 the rate computation date throughout which the
 11 employer's account has been chargeable with benefit
 12 payments, shall be assigned a contribution rate under
 13 the provisions of this subparagraph. Contribution
 14 rates shall be assigned by listing all such government
 15 contributing employers by decreasing percentages of
 16 excess from the highest positive percentage of excess
 17 to the highest negative percentage of excess. The
 18 employers so listed shall be grouped into seven
 19 separate percentage of excess ranks each containing
 20 as nearly as possible one-seventh of the total taxable
 21 wages of government entities eligible to be assigned
 22 a rate under this subparagraph. The department shall
 23 annually calculate a base rate for each calendar year.
 24 The base rate is equal to the sum of the benefit
 25 payments charged to government contributing employers
 26 in the preceding calendar year at the time of the
 27 rate computation plus the difference between the total
 28 benefits less contributions made by government
 29 contributing employers since January 1, 1980 which
 30 sum is divided by the total taxable wages of government
 31 contributing employers for the preceding year rounded
 32 to the next highest one-tenth of a percentage point.
 33 If total contributions since January 1, 1980 exceed
 34 total benefit payments for government contributing
 35 employers, the difference shall be subtracted from
 36 the benefit payments of the preceding year. If
 37 benefits since January 1, 1980 exceed total
 38 contributions for government contributing employers
 39 the difference shall be added to the benefit payment
 40 of the preceding year. Excess contributions for the
 41 years 1978 and 1979 will be used to offset benefit
 42 payments in any year where total benefit payments
 43 exceed total contributions of government contributing
 44 employers. The contribution rate as a percentage
 45 of taxable wages of the employer shall be assigned
 46 as follows:

47 If the percent	The contribu-	Approximate
48 age of excess	tion rate shall	cumulative
49 rank is:	be:	taxable payroll:
50 1	Base Rate - 0.9	14.3

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1	2	Base Rate - 0.6	28.6
2	3	Base Rate - 0.3	42.9
3	4	Base Rate	57.2
4	5	Base Rate + 0.3	71.5
5	6	Base Rate + 0.6	85.8
6	7	Base Rate + 0.9	100.0

7 If a government contributing employer is grouped into
8 two separate percentage of excess ranks, the employer
9 shall be assigned the lower contribution rate of the
10 two percentage of excess ranks. Notwithstanding the
11 provisions of this subparagraph, a government
12 contributing employer shall not be assigned a
13 contribution rate less than one-tenth of one percent
14 of taxable wages unless the employer has a positive
15 percentage of excess greater than five percent. For
16 the purposes of this subsection percentage of excess
17 has the meaning provided in subsection three (3),
18 paragraph d of this section.

19 For the calendar year beginning January 1, 1981,
20 government entities electing to be government
21 contributing employers which are not otherwise eligible
22 to be assigned a contribution rate under this
23 subparagraph shall be assigned the base rate for the
24 calendar year as a contribution rate for the calendar
25 year.

26 Sec. 19. Section ninety-six point seven (96.7),
27 subsection fourteen (14), paragraph a, Code 1979,
28 is amended by striking the paragraph.

29 Sec. 20. Section ninety-six point seven (96.7),
30 subsections fifteen (15) and sixteen (16), Code 1979,
31 are amended by striking the subsections.

32 Sec. 21. Section ninety-six point eleven (96.11),
33 subsection nine (9), Code 1979, is amended to read
34 as follows:

35 9. SUBPOENAS. In case of contumacy by, or refusal
36 to obey a subpoena issued to any person, any court
37 of this state within the jurisdiction of which the
38 inquiry is carried on or within the jurisdiction of
39 which said person guilty of contumacy or refusal to
40 obey is found or resides or transacts business, upon
41 application by the ~~appeal board~~ department, or any
42 member or duly authorized representative thereof,
43 shall have jurisdiction to issue to such person an
44 order requiring such person to appear before the
45 ~~appeal board, there~~ department or any member or duly
46 authorized representative thereof to produce evidence
47 if so ordered or there to give testimony touching
48 the matter under investigation or in question; any
49 failure to obey such order of the court may be punished
50 by said court as a contempt thereof.

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1 Sec. 22. Section ninety-six point fourteen (96.14),
2 subsection three (3), Code 1979, is amended by adding
3 the following new unnumbered paragraph:
4 NEW UNNUMBERED PARAGRAPH. If an amount due from
5 a governmental entity of this state remains due and
6 unpaid for a period of one hundred twenty days after
7 the due date, the director shall take action as
8 necessary to collect the amount and shall levy against
9 any funds due the governmental entity from the state
10 treasurer, director of the department of revenue,
11 or any other official or agency of this state or
12 against an account established by the entity in any
13 bank. The official, agency or bank shall deduct the
14 amount certified by the director from any accounts
15 or deposits or any funds due the delinquent
16 governmental entity without regard to any prior claim
17 and shall promptly forward the amount to the director
18 for the fund. However, the director shall notify
19 the delinquent entity of the director's intent to
20 file a levy by certified mail at least ten days prior
21 to filing the levy on any funds due the entity from
22 any state official or agency.

23 Sec. 23. Section ninety-six point sixteen (96.16),
24 subsection one (1), Code 1979, is amended to read
25 as follows:

26 1. PENALTIES. ~~Whoever~~ An individual who makes
27 a false statement or representation knowing it to
28 be false or knowingly fails to disclose a material
29 fact, to obtain or increase any benefit or other
30 payment under this chapter, either for himself or
31 herself the individual or for any other person
32 individual, shall be is guilty of a fraudulent practice
33 as defined in section seven hundred fourteen point
34 eight (714.8) through seven hundred fourteen point
35 fourteen (714.14) of the Code. Each such false
36 statement or representation or failure to disclose
37 a material fact shall constitute a separate offense.
38 The total amount of benefits or payments involved
39 in the completion of or in the attempt to complete
40 a fraudulent practice shall be used in determining
41 the value involved under section seven hundred fourteen
42 point fourteen (714.14) of the Code.

43 Sec. 24. Section ninety-six point sixteen (96.16),
44 subsection two (2), Code 1979, is amended to read
45 as follows:

46 2. FALSE STATEMENT. Any employing unit or any
47 officer or agent of an employing unit or any other
48 person who makes a false statement or representation
49 knowing it to be false, or who knowingly fails to
50 disclose a material fact, to prevent or reduce the

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1 payment of benefits to any individual entitled thereto,
2 or to avoid becoming or remaining subject hereto,
3 or to avoid or reduce any contribution or other payment
4 required from an employing unit under this chapter,
5 or who willfully fails or refuses to make any such
6 contributions or other payment or to furnish any
7 reports required hereunder or to produce or permit
8 the inspection or copying of records as required
9 hereunder, ~~shall be is~~ guilty of a fraudulent practice
10 and each such false statement or representation or
11 failure to disclose a material fact, and each day
12 of such failure or refusal, shall constitute a separate
13 offense as defined in sections seven hundred fourteen
14 point eight (714.8) through seven hundred fourteen
15 point fourteen (714.14) of the Code. The total amount
16 of benefits, contributions or payments involved in
17 the completion of or in the attempt to complete a
18 fraudulent practice shall be used in determining the
19 value involved under section seven hundred fourteen
20 point fourteen (714.14) of the Code.

21 Sec. 25. Section ninety-six point sixteen (96.16),
22 subsection four (4), Code 1979, is amended to read
23 as follows:

24 4. MISREPRESENTATION. Any person An individual
25 who, by reason of the nondisclosure or
26 misrepresentation by him or her the individual or
27 by another, of a material fact, has received any sum
28 as benefits under this chapter while any conditions
29 for the receipt of benefits imposed by this chapter
30 were not fulfilled in his or her the individual's
31 case, or while he or she the individual was
32 disqualified from receiving benefits, shall, in the
33 discretion of the department, either be liable to
34 have such the sum deducted from any future benefits
35 payable to him or her the individual under this chapter
36 or shall be liable to repay to the department for
37 the unemployment compensation fund, a sum equal to
38 the amount so received by him or her, and such sum
39 shall be collectible in the manner provided in section
40 96.14, subsection 3, for the collection of past due
41 contributions the individual. If the department seeks
42 to recover the amount of the benefits by having the
43 individual pay to the department a sum equal to that
44 amount, the department may file a lien with the county
45 recorder in favor of the state on the individual's
46 property and rights to property, whether real or
47 personal. The amount of the lien shall be collected
48 in a manner similar to the provisions for the
49 collection of past-due contributions in section ninety-
50 six point fourteen (96.14), subsection three (3) of

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1 the Code.

2 Sec. 26. Section ninety-six point nineteen (96.19),
3 subsection one (1), Code 1979, is amended to read
4 as follows:

5 1. "Annual payroll". The term "annual payroll"
6 as used in subsection 3 "d" of section 96.7 means
7 the total amount of taxable wages paid by an employer
8 for insured work during the period of four consecutive
9 calendar quarters ending on June 30 thirtieth of each
10 year, and the term "average annual payroll" as used
11 in said subsection means the average of the "annual
12 payrolls" of an employer for the last three periods
13 of four consecutive calendar quarters immediately
14 preceding the computation date. Except that for an
15 employer who qualifies on any computation date for
16 a computed rate on the basis of less than twelve
17 consecutive calendar quarters of chargeability
18 immediately preceding the computation date, the term
19 average annual payroll shall be the average of the
20 annual payrolls for the last two periods of four
21 consecutive calendar quarters immediately preceding
22 the computation date. However, if an employer's
23 current annual payroll increases over the employer's
24 previous annual payroll, adjusted for any increase
25 in current taxable wages due to an increase in the
26 statewide average annual wage, and the payroll increase
27 is due to taxable wages paid to an increased number
28 of employees, that increase shall only be included
29 in the current annual payroll for the purpose of
30 calculating the employer's percentage of excess to
31 the extent the increase does not exceed ten percent
32 of the employer's most recent average annual payroll.
33 The limitation of an increase in the current annual
34 payroll shall only be calculated upon application
35 by the employer to the department.

36 Sec. 27. Section ninety-six point nineteen (96.19),
37 subsection six (6), paragraph a, subparagraph seven
38 (7)(a), Code 1979, is amended to read as follows:

39 (7)(a) A person in agricultural labor when such
40 labor is performed for an employing unit which during
41 any calendar quarter in the calendar year or the
42 preceding calendar year paid remuneration in cash
43 of twenty thousand dollars or more to individuals
44 employed in agricultural labor excluding labor
45 performed before January 1, 1980, by an alien referred
46 to in this subparagraph; or on each of some twenty
47 days during the calendar year or the preceding calendar
48 year, each day being in a different calendar week,
49 employed in agricultural labor for some portion of
50 the day ten or more individuals, excluding labor

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1 performed before January 1, 1980, by an alien referred
2 to in this subparagraph; and such labor is not
3 agricultural labor performed before January 1, 1980,
4 by an individual who is an alien admitted to the
5 United States to perform agricultural labor pursuant
6 to sections 214(c) and 101(a)(15)(H) of the
7 Immigration and Nationality Act, 8 U.S.C. s. 1184(c),
8 1101(a)(15)(H) (1976).

9* Sec. 28. Section ninety-six point nineteen (96.19),
10 subsection twenty-one (21), Code 1979, is amended
11 to read as follows:

12 21. "Computation date". The computation date
13 for contribution rates shall be July 1 October first
14 of that calendar year preceding the calendar year
15 with respect to which such rates are to be effective.
16 If the total trust funds available for payment of
17 unemployment compensation benefits through April 1,
18 1978, is projected to fall below twenty million dol-
19 lars, the director of the Iowa department of job
20 service shall prepare and adopt such procedures for
21 advance payment of a portion of the employer's
22 unemployment contributions projected due for the first
23 quarter of the calendar year beginning January 1,
24 1978.

25 Sec. 29. Section six hundred twenty-six point
26 twenty-nine (626.29), Code 1979, is amended to read
27 as follows:

28 626.29 DISTRESS WARRANT BY DIRECTOR OF REVENUE
29 OR DIRECTOR OF JOB SERVICE. In the service of a
30 distress warrant issued by the director of revenue
31 for the collection of income tax, sales tax, freight
32 line and equipment car tax or use tax or in the ser-
33 vice of a distress warrant issued by the director
34 of job service for the collection of employment
35 security contributions, the property of the taxpayer
36 or the individual in the possession of another, or
37 debts due him the taxpayer or the individual, may
38 be reached by garnishment.

39 Sec. 30. Chapter ninety-six (96), Code 1979, is
40 amended by adding the following new section:

41 NEW SECTION. PUBLIC SERVICE EMPLOYMENT PROGRAM.

42 1. For the purposes of this section:

43 a. "Public service employer" means a government
44 entity, nonprofit organization as defined in section
45 ninety-six point seven (96.7), subsection nine (9)
46 of the Code, state-owned hospital, or state-owned
47 institution of higher education.

48 b. "Public service employee" means an individual
49 employed by a public service employer under the public
50 service employment program.

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1 2. The department shall establish a public service
2 employment program by contracting with public service
3 employers to provide public service employment of
4 fifteen to twenty hours per week for individuals who
5 have received fifteen or more weeks of total
6 unemployment compensation benefits under this chapter.
7 The program shall be headed by the director of job
8 service. The contracts shall include but are not
9 limited to the following provisions:

10 a. Wages paid by the public service employer to
11 public service employees shall be comparable to wages
12 paid to the public service employer's regular employees
13 for similar work.

14 b. Public service employees shall not displace
15 the public employer's regular employees.

16 c. Individuals who have received fifteen or more
17 weeks of total unemployment compensation benefits
18 shall be eligible for the public service employment
19 program.

20 3. An individual who has received fifteen weeks
21 or more of total unemployment compensation benefits
22 may be directed by the director of the public service
23 employment program to apply for available, suitable
24 public service employment and, if offered, the
25 individual shall accept the employment if so directed
26 by the director of the public service employment
27 program. The suitability of public service employment
28 for an individual shall be determined by the department
29 and the public service employer after consideration
30 of the degree of risk involved to the individual's
31 health, safety, and morals, the individual's physi-
32 cal fitness and prior training, the distance of the
33 available work from the individual's residence, and
34 any other factor which bears a reasonable relation
35 to the suitability of public service employment under
36 the public service employment program.

37 An individual may appeal the decision of the
38 director of the public service employment program
39 directing the individual to accept public service
40 employment in the same manner provided for the appeal
41 of the initial determination in section ninety-six
42 point six (96.6), subsection two (2) of the Code.

43 4. Notwithstanding any contrary provision of
44 chapter eighty-five (85) or eighty-five A (85A) of
45 the Code, the state of Iowa shall be deemed the
46 employer of public service employees under the public
47 service employment program for the purposes of the
48 workers' compensation and occupational disease
49 compensation law of this state. The state shall,
50 if possible, acquire a policy of insurance covering

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1 the liability of the state, under chapters eighty-
2 five (85) and eighty-five A (85A) of the Code, for
3 the compensation of individuals under the public
4 service employment program. Benefits under chapters
5 eighty-five (85) and eighty-five A (85A) of the Code
6 shall be computed on the wages paid to the public
7 service employee during that individual's base period
8 for unemployment compensation.

9 A public service employer shall be deemed a third
10 party for the purposes of the workers' compensation
11 and occupational disease compensation law of this
12 state, but shall only be liable under state statutory
13 and common law for willful and wanton disregard of
14 the health, safety and welfare of the public service
15 employee.

16 5. Notwithstanding any provision of this chapter
17 to the contrary, a contributing public service
18 employer's rate of contribution on wages paid to the
19 employer's public service employees shall be the rate
20 specified in the first percentage of excess rank in
21 the applicable contribution rate table.

22 6. Notwithstanding any provision of this chapter
23 to the contrary, a public service employee's account
24 shall not be credited with wages earned under the
25 public service employment program.

26 7. Notwithstanding any provision of this chapter
27 to the contrary, an individual who has received fifteen
28 weeks or more of total unemployment compensation
29 benefits shall receive total unemployment compensation
30 benefits equal to one-twenty-first of the individual's
31 wages in insured work paid during that quarter of
32 the individual's base period in which the individual's
33 wages were highest, subject to a maximum weekly benefit
34 amount of sixty-two percent of the statewide average
35 weekly wage as computed under section ninety-six point
36 three (96.3), subsection four (4) of the Code, if
37 the individual does any of the following:

38 a. Fails to apply for available, suitable public
39 service employment after the director of the public
40 service employment program directs the individual
41 to do so.

42 b. Fails to accept suitable public service
43 employment after the employment is offered to the
44 individual and the director of the public service
45 employment program directs the individual to accept
46 the employment.

47 8. The director of the public service employment
48 program shall submit to the general assembly of this
49 state, no later than December fifteenth of each year,
50 a complete report covering the administration and

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- 1 operation of the program and detailing the number
- 2 of individuals served by the program, the number of
- 3 references to available, suitable employment, the
- 4 number of employment offers, and the number of accepted
- 5 offers of employment, and the number of individuals
- 6 whose benefits are reduced under subsection seven
- 7 (7) of this section.
- 8 Sec. 31. By renumbering certain subsections,
- 9 paragraphs, and subparagraphs of chapter ninety-six
- 10 (96) as necessary.
- 11 Sec. 32. This Act is effective July 1, 1979."

Roll call was requested by Avenson of Fayette and Anderson of Jasper.

On the question "Shall the rules be suspended to adopt amendment H-3775?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenlager
Lloyd-Jones	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Crawford

Egenes

Lonergan

The motion lost placing out of order amendment H-3804, to amendment H-3775, filed by Avenson of Fayette on April 6, 1979.

(Senate File 373 and the committee amendment H-3713A pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 11:48 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Nine senior students from Twin Cedars High School, Bussey, Iowa, accompanied by Mr. Howard. By Van Maanen of Mahaska.

Seventy eighth grade students from Lake Mills Junior High School, Lake Mills, Iowa, accompanied by Robert Clark. By Branstad of Winnebago.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-seven members present, thirteen absent.

BUSINESS PENDING

The House resumed consideration of Senate File 373 and the committee amendment H-3713A, found on page 1343 of the House Journal.

Rapp of Black Hawk asked and received unanimous consent to withdraw amendment H-3785, to the committee amendment H-3713A, filed by him on April 6, 1979.

Rapp of Black Hawk offered the following amendment H—3811, to the committee amendment H—3713A, filed by him from the floor and moved its adoption:

H—3811

- 1 Amend the House Committee amendment, H—3713
- 2 to Senate File 373 as passed and reprinted by the
- 3 Senate as follows:
- 4 1. Page 1, line 13, by inserting after the
- 5 word "less" the words "sixty-six and two-thirds
- 6 percent of".
- 7 2. Page 1, lines 16 and 17, by striking the
- 8 words "one-fourth of the individual's weekly
- 9 benefit amount" and inserting in lieu thereof the
- 10 words "twenty dollars".

Roll call was requested by Rapp of Black Hawk and Patchett of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H—3811, to amendment H—3713A, be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby

McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Crawford	Kirkenslager	Loneragan
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Amendment H—3811 lost.

Pope of Polk moved the adoption of the committee amendment H—3713A.

Roll call was requested by Byerly of Polk and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—3713A be adopted?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Perkins	Poffenberger	Pope	Ritsema
Schneklloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Mr. Speaker			

The nays were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland

O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

Absent or not voting, 4:

Crawford	Lonergan	Pelton	West
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The committee amendment H-3713A was adopted.

Connolly of Dubuque offered the following amendment H-3782, to the committee amendment H-3713B, filed by him and moved its adoption:

H-3782

1 Amend the House Committee amendment, H-3713, to
 2 Senate File 373 as passed and reprinted by the
 3 Senate to read as follows:
 4 1. Page 1, by striking line 19, and inserting
 5 in lieu thereof the following:
 6 "2. Page 3, by striking lines 1 through 10, and
 7 inserting in lieu thereof the following:
 8 "Sec. . Section ninety-six point five (96.5),
 9 subsection one (1), Code 1979, is amended by adding
 10 the following new paragraph:
 11 NEW PARAGRAPH. The individual is involved in a
 12 long-term labor dispute, at the factory, establishment,
 13 or other premises at which the individual was last
 14 employed, which has resulted in an election
 15 decertifying the official bargaining representative
 16 of the individual, and the individual has not been
 17 disqualified, following decertification, under section
 18 ninety-six point five (96.5), subsection three (3)
 19 of the Code, and the individual is otherwise eligible
 20 under this chapter." "

Roll call was requested by Connolly of Dubuque and Binneboese of Plymouth.

On the question "Shall amendment H-3782, to amendment H-3713B, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.

Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker		

Absent or not voting, 2:

Crawford Lonergan

Amendment H—3782 lost.

Pope of Polk moved the adoption of the committee amendment H—3713B.

Roll call was requested by Jesse of Polk and Cusack of Scott.

On the question "Shall amendment H—3713B be adopted?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimaneck	Shull	Smalley

Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 3:

Crawford	Egenes	Lonergan
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The committee amendment H-3713B was adopted.

Anderson of Jasper offered the following amendment H-3793, to the committee amendment H-3713C, filed by him and moved its adoption:

H-3793

- 1 Amend amendment H-3713 to Senate File 373, as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 22 through 36 and
- 5 inserting in lieu thereof the following:
- 6 "4. ~~He or she~~ The individual has been paid wages
- 7 for insured work of not less than ~~four hundred~~
- 8 ~~dollars three times the average statewide weekly~~
- 9 ~~wage in that calendar quarter in his or her the~~
- 10 ~~individual's base period in which his or her the~~
- 11 ~~individual's wages were the highest, and also he or~~
- 12 ~~she the individual~~ has been paid wages for insured
- 13 work of not less than ~~two hundred dollars times the~~
- 14 ~~statewide average weekly wage in a calendar quarter~~
- 15 ~~in his or her the individual's base period other~~
- 16 ~~than the calendar quarter in which his or her the~~
- 17 ~~individual's wages were the highest;"~~

Roll call was requested by Anderson of Jasper and O'Kane of Woodbury.

On the question "Shall amendment H—3793, to amendment H—3713C, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spears
Walter	Wells	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Crawford	Lonergan	Pelton
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Amendment H—3793 lost.

Horn of Linn offered the following amendment H—3780, to the committee amendment H—3713C, filed by him and moved its adoption:

H—3780

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:

- 4 1. Page 1, by striking lines 42 through 44, and
 5 inserting in lieu thereof the words "least six
 6 times the individual's weekly benefit amount, as
 7 a"

Roll call was requested by Horn of Linn and Chiodo of Polk.

On the question "Shall amendment H-3780, to amendment H-3713C, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Maulsby	McKean
Menke	Mullins	Pellett	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 6:

Crawford	Daggett	Lonergan	Lura
Pelton	Perkins		

Amendment H-3780 lost.

Pope of Polk moved the adoption of the committee amendment H-3713C.

Roll call was requested by Jesse of Polk and Anderson of Jasper.

On the question "Shall the committee amendment H—3713C be adopted?"

The ayes were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, G.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

The nays were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 4:

Crawford	Daggett	Lonergan	Welden
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The committee amendment H—3713C was adopted.

Jochum of Dubuque offered amendment H—3781, to the committee amendment H—3713E, filed by him and Kirkenslager of Des Moines and requested division as follows:

H—3781

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:

H-3781A

- 4 1. Page 2, line 15, by striking the word
5 "consecutive".

H-3781B

- 6 2. Page 2, line 19, by striking the word
7 "consecutive".

H-3781C

- 8 3. Page 2, line 34, by striking the word
9 "consecutive".

H-3781D

- 10 4. Page 3, line 49, by striking the words
11 "consecutive weeks" and inserting the word "week".
12 5. Page 4, by striking the words "each and
13 every".
14 6. Page 4, by striking lines 5 through 11 and
15 inserting in lieu thereof "individual's wages were
16 highest".

Perkins of Greene asked and received unanimous consent to defer action on amendment H-3781A for the consideration of the committee amendment H-3713L.

Jochum of Dubuque asked and received unanimous consent to temporarily defer action on amendment H-3781D, to the committee amendment H-3713L.

Avenson of Fayette offered the following amendment H-3813, to the committee amendment H-3713L, filed by him from the floor:

H-3813

- 1 Amend the House Committee amendment, H-3713,
2 to Senate File 373, as passed, and reprinted by
3 the Senate, as follows:
4 1. Page 4, by striking lines 3 through 5 and
5 inserting in lieu thereof the words "of the
6 statewide average weekly wage. However, the".

Avenson of Fayette asked and received unanimous consent to withdraw amendment H-3813.

Connors of Polk offered the following amendment H—3784, to the committee amendment H—3713L, filed by him and moved its adoption:

H—3784

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:
- 4 1. Page 4, lines 9 and 10, by striking the words
- 5 "stoppage of work because of weather" and inserting
- 6 in lieu thereof the words "a layoff which is not
- 7 the fault of the employee".

Roll call was requested by Connors of Polk and Jochum of Dubuque.

On the question "Shall amendment H—3784, to amendment H—3713L, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Crawford Daggett Lonergan

Amendment H—3784 lost.

The House resumed consideration of amendment H—3781D, to the committee amendment H—3713L.

Jochum of Dubuque asked for unanimous consent to defer action on amendment H—3781D.

Objection was raised.

Jochum of Dubuque moved the adoption of amendment H—3781D, to the committee amendment H—3713L.

A non-record roll call was requested.

The ayes were 34, nays 53.

Amendment H—3781D lost.

Pope of Polk moved the adoption of the committee amendment H—3713L.

Roll call was requested by Jesse of Polk and O’Kane of Woodbury.

On the question “Shall the committee amendment H—3713L be adopted?”

The ayes were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Danker	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellet	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen

Thompson	Tofte	Tyrrell	Van Maanen
Weiden	West	Mr. Speaker	

The nays were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Kirkenslager	Lloyd-Jones	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

Absent or not voting, 4:

Crawford	Daggett	Krewson	Lonergan
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The committee amendment H—3713L was adopted.

(Senate File 373 and the committee amendment H—3713 pending at adjournment.)

HOUSE RESOLUTION 34

By Lind, Evans, Stromer, Pope and West

- 1 *Whereas*, there are expressions of fear and
- 2 regression following problems in America's energy
- 3 sources, and
- 4 *Whereas*, there may be needed expressions of
- 5 courage and faith in the search for energy, and
- 6 *Whereas*, action towards advancement and creation
- 7 sometimes conflicts with static security, *Now Therefore*,
- 8 *Be It Resolved by the House of Representatives*,
- 9 that people of courage encourage the orderly and crucial
- 10 search for and the development of energy so that light,
- 11 warmth, food, and protection be present in America not
- 12 only for this generation but the generations to come;
- 13 that a preservation of this nation shall be the watchword
- 14 of progress; that clinging security not be the limp action
- 15 of our nation; that the trumpet call will be to conquer
- 16 problems as is our heritage rather than surrender; and
- 17 that forward looking Americans cheer the attack; and
- 18 *Be It Further Resolved* that a copy of this resolution
- 19 be forwarded to the governor, the members of the Iowa
- 20 congressional delegation, the Iowa Commerce Commission,
- 21 the Iowa Department of Environmental Quality, the Iowa

22 Department of Health and the United States Environmental
23 Protection Agency.

Laid over under Rule 30.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 9th day of April, 1979: House File 11.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

UNANIMOUS CONSENT CALENDAR (House Resolution 33)

We hereby respectfully request that House Resolution 33, filed on April 6, 1979 and found on page 1418 of the House Journal, be placed on the unanimous consent calendar.

LURA of Marshall
HALVORSON of Webster
CONLON of Muscatine

EXPLANATION OF VOTE

I had to be in Iowa City on Thursday, April 5 and Friday, April 6 to put together a proposed doctoral program. Had I been present I would have voted "aye" on House Files 454, 668, 673, 686, 695, 700, 702, 708, 715 and 717, "aye" on Senate Files 81, 282 and 463 and "nay" on the motion to suspend the rules to consider amendment H-3569 to House File 721.

CUSACK of Scott

SPONSOR ADDED (House File 275)

Hanson of Delaware requested that his name be added as a sponsor of House File 275.

REPORT OF COMMITTEE MEETING

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following report of committee meeting has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Scheduled: 9:00 a.m., April 5, 1979

Convened: 9:15 a.m.

Adjourned: 9:45 a.m.

Present: Shimanek, chair; Ritsema, vice-chair; Anderson of Audubon, Arnould, Clark of Cerro Gordo, Conlon, Corey, Hibbs, Holt, Jesse, Johnson of Howard, Lloyd-Jones, Maulsby, Rapp, Smalley and Welsh.

Absent: Patchett, ranking member; Doyle, Pelton and Walter.

Excused: Lonergan.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON CITIES

Senate File 448, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of financing projects for the use of a state of Iowa institution under the board of regents.

Recommended **Do Pass**.

COMMITTEE ON ENERGY

Senate File 344, a bill for an act relating to access to and use of solar energy.

Recommended **Amend and Do Pass**. (corrected)

H-3773

1 Amend Senate File 344 as passed by the Senate as
2 follows:

- 3 1. Page 1, by striking lines 1 through 35.
- 4 2. Page 2, by striking lines 1 through 21 and
- 5 inserting in lieu thereof the following:
- 6 "Section 1. The general assembly finds that:
- 7 1. The needs of a viable society depend upon an
- 8 ample supply of energy.
- 9 2. The current national imbalance between energy
- 10 supplies and demands suggests the need for the
- 11 development of new energy resources.
- 12 3. Increased national dependence upon foreign
- 13 energy supplies is not desirable and new alternative
- 14 energy resources should be developed.
- 15 4. National dependence upon nonrenewable energy
- 16 resources cannot be continued indefinitely,
- 17 particularly at current rates of consumption.
- 18 5. Solar energy is a very desirable, renewable
- 19 energy resource which is nonpolluting, easily
- 20 developed, and generally available across the state.
- 21 6. Virtually all of Iowa's energy needs are now
- 22 being met from sources beyond the borders of the state
- 23 and development of solar energy would reduce the flow
- 24 of energy dollars out of the state.
- 25 7. A principal obstacle to orderly development
- 26 and use of solar energy in this state is the absence
- 27 of adequate laws and precedents defining rights of
- 28 access to solar energy.
- 29 8. It is therefore in the public interest and
- 30 the interest of the state to provide adequate laws
- 31 which will expedite the development and use of solar
- 32 energy.

33 Sec. 2. It is the purpose of this Act to facilitate
34 the orderly development and use of solar energy by
35 establishing and providing for certain rights of
36 access to solar energy.

37 Sec. 3. NEW SECTION. DEFINITIONS. As used in
38 sections one (1) through thirteen (13) of this Act,
39 unless the context otherwise requires:

- 40 1. "Solar access right" means a property right
- 41 to use solar energy in a solar energy system as
- 42 provided in this Act.
- 43 2. "Solar energy" means energy emitted from the
- 44 sun and collected in the form of heat or light by
- 45 a solar collector.
- 46 3. "Solar collector" means a device or array of
- 47 devices other than living organisms having a total
- 48 surface area exposed to the sun of at least fifty
- 49 square feet constructed to collect solar energy in
- 50 a manner appropriate for the intended use and part

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1 of a solar energy system.

2 4. "Solar energy system" means an active or passive
3 system of either equipment or structural components
4 or both that includes a solar collector and that is
5 constructed to put solar energy to beneficial use.

6 5. "Beneficial use" means application of solar
7 energy from a solar energy system to a useful and
8 economically significant purpose in a manner that
9 diminishes the dominant estate owner's use of other
10 forms of energy.

11 6. "Development of property" means construction,
12 landscaping, growth of vegetation planted after the
13 recording of a declaration of solar access rights,
14 or other alteration of property that interferes with
15 the operation of a solar energy system. Growth of
16 vegetation existing at the time of installation of
17 a solar energy system is not development of property.

18 7. "Dominant estate" means that parcel of land
19 to which the benefits of a solar access right attach.

20 8. "Servient estate" means land other than the
21 dominant estate within three hundred feet of the
22 center of the collector and south of a line drawn
23 east and west and tangent to the northern most boundary
24 of the collector and listed in the declaration of
25 solar access rights recorded pursuant to section
26 seven (7) of this Act.

27 9. "Solar access regulatory board" means the
28 following:

29 a. The municipal board of adjustment if the
30 dominant estate is located in an area under the zoning
31 jurisdiction of a city that has adopted a zoning
32 ordinance pursuant to chapter four hundred fourteen
33 (414) of the Code.

34 b. The city council if the dominant estate is
35 located in a city that has not adopted a zoning
36 ordinance pursuant to chapter four hundred fourteen
37 (414) of the Code.

38 c. The county board of adjustment if the dominant
39 estate is located outside of the zoning jurisdiction
40 of a city and within a county that has adopted a
41 zoning ordinance pursuant to chapter three hundred
42 fifty-eight A (358A) of the Code.

43 d. The board of supervisors if the dominant estate
44 is located outside of a city and within a county that
45 has not adopted a zoning ordinance pursuant to chapter
46 three hundred fifty-eight A (358A) of the Code.

47 **Sec. 4. NEW SECTION. DECLARATION OF SOLAR ACCESS**
48 **RIGHTS.**

49 1. The general assembly declares that the right
50 to use the natural resource of solar energy is a

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1 property right, the exercise of which is to be
2 encouraged and regulated by the laws of this state.
3 2. The following concepts apply to the regulation
4 of disputes over the use of a solar energy system
5 located on land for which a declaration of solar
6 access rights has been recorded pursuant to section
7 seven (7) of this Act.

8 a. In areas which are unzoned or zoned for
9 agricultural use or zoned for detached one and two
10 family housing, beneficial use is the basis, the
11 measure and the limit of a solar access right, except
12 as otherwise provided by written contract. If the
13 amount of solar energy which the user of a solar
14 energy system can beneficially use varies with the
15 time of day, the season of the year, or in some other
16 manner, then the extent of the solar right varies
17 likewise.

18 b. In disputes involving solar rights in areas
19 which are unzoned or zoned for agricultural use or
20 zoned for detached one and two family housing, priority
21 in time of beneficial use has the superior right.
22 A change in the zoning classification of property
23 does not terminate or diminish a solar access right
24 based on priority in time of beneficial use.

25 c. Solar access rights are freely transferable
26 within the bounds of regulation imposed by the general
27 assembly.

28 Sec. 5. NEW SECTION. LIMIT OF A SOLAR ACCESS
29 RIGHT.

30 1. A solar access right based on priority in time
31 of beneficial use is not absolute and does not bar
32 development of property on servient estates. However,
33 if development of property on servient estates ob-
34 structs or diminishes a solar access right recorded
35 pursuant to section seven (7) of this Act, the
36 beneficiary of the solar access right shall be
37 furnished reasonable compensation unless other
38 settlement is agreed to.

39 2. a. Vegetation located on a servient estate
40 and planted prior to the recording of a declaration
41 of solar access rights shall be trimmed by the servient
42 estate owner when growth of such vegetation subsequent
43 to recording substantially interferes with the use
44 of a solar energy system and the dominant estate owner
45 has delivered written notice of the need for trimming
46 to the servient estate owner. However, trimming shall
47 not be required beyond the point necessary to eliminate
48 the obstruction unless some other point is agreed
49 to by the parties. The cost of trimming shall be
50 paid by the dominant estate owner who shall provide

Page 4

1 security for the cost of trimming to the servient
2 estate owner as a condition precedent to trimming.
3 b. If a servient estate owner fails to trim
4 vegetation planted prior to the recording of a
5 declaration of solar access rights within thirty days
6 of receipt of the written notice of the need for
7 trimming as required under paragraph a of this
8 subsection, then the dominant estate owner may petition
9 the solar access regulatory board to perform the
10 necessary trimming. After giving reasonable notice
11 and an opportunity for all parties to be heard, the
12 solar access regulatory board shall order such trimming
13 as it deems necessary and perform or contract for
14 the trimming, after receiving adequate security from
15 the dominant estate owner for the payment of the costs
16 of trimming.

17 **Sec. 6. NEW SECTION. COMPENSATION FOR OBSTRUCTION**
18 **OF SOLAR ACCESS.** When a solar access right based
19 upon priority in time of beneficial use is abridged
20 by a development of property, reasonable compensation
21 shall be determined as follows:

22 1. If the solar energy system can no longer be
23 reasonably used because of interference caused by
24 the development, reasonable compensation consists
25 of the following:

26 a. The solar energy system's replacement cost
27 after depreciation for ordinary use, less the system's
28 resale value, plus the cost of replacing the system
29 with an alternative energy system that is capable
30 of providing the energy furnished by the solar energy
31 system.

32 b. The increase in annual cost of operating the
33 replacement energy system, relative to the cost of
34 operating the solar energy system, capitalized at
35 the long-term interest rate prevailing at the time.

36 2. If the solar energy system can still be used
37 but its efficiency or output is diminished because
38 of interference, reasonable compensation shall consist
39 of the following:

40 a. The cost to modify or relocate the solar energy
41 system, including the cost of installing a supplemental
42 energy system, to replace the energy capacity lost
43 because of interference.

44 b. The increase in annual cost of operating the
45 modified energy system, relative to the cost of
46 operating the solar energy system, capitalized at
47 the long-term interest rate prevailing at the time.

48 **Sec. 7. NEW SECTION. RECORDING OF SOLAR ACCESS**
49 **RIGHTS.**

50 1. Before the provisions of section four (4)

Page 5

1 through ten (10) and section twelve (12) of this Act
2 apply, the owner of the dominant estate must have
3 recorded a written declaration of solar access rights
4 in the office of the county recorder in the counties
5 where the dominant and servient estates are located.
6 If the declaration meets the requirements of subsection
7 five (5) of this section, the county recorder shall
8 record the declaration and list the dominant estate
9 owner as grantee and the servient estate owner as
10 grantor in the deed index.

11 2. Upon receipt of the declaration, the county
12 recorder in which the dominant estate is located shall
13 send by certified mail a notice of the recording to
14 the servient estate owners of record which shall
15 contain the following:

16 a. The name and address of the dominant estate
17 owner.

18 b. That a declaration of solar access rights has
19 been recorded against the servient estate and may
20 affect the rights of the servient estate owner to
21 develop the estate.

22 c. The time and place where the declaration can
23 be reviewed.

24 d. That the servient estate owner may contest
25 the recording within thirty days of the mailing date
26 of the notice on the grounds that the servient estate
27 owner has already made a substantial financial
28 commitment to build a structure that will shade the
29 collector.

30 3. The dominant estate owner shall pay a filing
31 fee of twenty-five dollars to the county recorder
32 in which the dominant estate is located prior to
33 recording. The money collected shall be deposited
34 in the county's general fund. Upon the written request
35 of the county recorder, the solar access regulatory
36 board shall revoke a declaration of solar access
37 rights for failure to pay the filing fee.

38 4. If the solar energy system has not been
39 installed and made operational within nine months
40 after the date of recording or the date of resolution
41 of the contest to the recording pursuant to section
42 eight (8) of this Act, whichever date is later, then
43 upon the written request of a servient estate owner
44 the solar access regulatory board shall revoke the
45 declaration of solar access rights.

46 5. The declaration of solar access rights must
47 contain the following:

48 a. An acknowledgement by the owner of the dominant
49 estate.

50 b. A description of the dominant and servient

Page 6

1 estates.

2 c. The name and address of the dominant and
3 servient estate owners of record.

4 d. A statement that the solar energy system is
5 installed or will be installed within nine months
6 of the date of recording or resolution of a contest
7 to the recording, whichever is later.

8 e. A description of the solar energy system to
9 be used.

10 f. The size and location of the collector,
11 including heights, its orientation with respect to
12 south, and its slope from the horizontal shown either
13 by drawings or in words.

14 g. An explanation of how the applicant has done
15 everything reasonable, taking cost and efficiency
16 into account, to design and locate the collector in
17 a manner to minimize the impact on development of
18 servient estates.

19 **Sec. 8. NEW SECTION. RIGHT TO CONTEST RECORD-**
20 **ING.**

21 1. Within thirty days of mailing a notice of the
22 recording of the declaration of solar access rights
23 pursuant to the provisions of subsection two (2) of
24 section seven (7) of this Act, a servient estate owner
25 may file a written request to contest the recording
26 of the declaration of solar access rights with the
27 solar access regulatory board.

28 2. The solar access regulatory board shall hold
29 a hearing to consider the request after giving
30 reasonable notice to the dominant estate owner and
31 the petitioner of the time, place, and purpose of
32 the hearing.

33 3. The solar access regulatory board shall revoke
34 the recording of the declaration of solar access
35 rights if it finds that prior to the date of recording
36 the written declaration of solar access rights with
37 the county recorder, the servient estate owner made
38 a substantial financial commitment to build a structure
39 that will shade the solar collector. Such revocation
40 applies only to the servient estate on which the
41 structure is to be built.

42 4. The solar access regulatory board may condition
43 the recording of the declaration upon changes in the
44 position or location of the solar collector that will
45 minimize the impact on the servient estate.

46 5. The solar access regulatory board may order
47 a party to a contest of a recording to not engage
48 in activity that will change the status quo until
49 the appeal is resolved by the board.

50 **Sec. 9. NEW SECTION. REVOCATION OF DECLARATION**

Page 7**1 OF SOLAR ACCESS RIGHTS.**

2 1. Revocation of a declaration of a solar access
3 right by a solar access regulatory board shall be
4 in writing and state the reason for the revocation.
5 A copy of the revocation shall be sent by ordinary
6 mail to the parties to the revocation proceeding.

7 2. The solar access regulatory board shall file
8 with the county recorder for recording a certified
9 copy of a revocation of a declaration of solar access
10 rights. The county recorder shall record the
11 revocation and list the dominant estate owner as
12 grantor and the servient estate owner as grantee in
13 the deed index. Upon recording the revocation, the
14 declaration is void.

15 3. If a declaration of solar access rights for
16 an estate is revoked, the estate owner with the written
17 approval of the solar access regulatory board may
18 have a subsequent declaration of solar access rights
19 recorded pursuant to the provisions of sections seven
20 (7) and eight (8) of this Act under the following
21 conditions:

22 a. If the revocation was pursuant to subsection
23 three (3) of section eight (8) of this Act because
24 the servient estate owner has made a substantial
25 commitment to build a structure that will shade the
26 solar collector, upon proof that the structure's
27 construction was not begun within two years of the
28 date of revocation.

29 b. If the revocation was for nonuse pursuant to
30 section ten (10) of this Act, upon proof of actual
31 installation and operation of a solar energy system.
32 However, if the revocation for nonuse occurred more
33 than three years prior to the recording of a subsequent
34 declaration of solar access rights the declaration
35 may be recorded without the written approval of the
36 solar access regulatory and proof of installation
37 and operation.

38 c. If the revocation is for failure to install
39 and operate a solar energy system pursuant to
40 subsection four (4) of section seven (7) of this Act,
41 then upon proof of actual installation and operation
42 of the system on the dominant estate.

43 **Sec. 10. NEW SECTION. ABANDONMENT OF SOLAR ACCESS**
44 **RIGHT.**

45 1. A solar access right not put to beneficial
46 use for three consecutive years is deemed abandoned
47 until such time as it is again put to beneficial use.
48 During the period of abandonment the owner of a
49 servient estate may file a written request for
50 revocation of the declaration of solar access rights

Page 8

1 with the appropriate solar access regulatory board.
2 2. The solar access regulatory board shall hold
3 a hearing to consider the request after giving
4 reasonable notice to the owner of the dominant estate
5 and the person making the request of the time, place
6 and purpose of the hearing.

7 3. The solar access regulatory board shall
8 terminate the solar access right and revoke the
9 recording of the declaration of solar access rights
10 if it finds that for three consecutive years the solar
11 access right was not put to beneficial use.

12 Sec. 11. NEW SECTION. VOLUNTARY EASEMENTS.

13 1. Persons, including public bodies may voluntarily
14 create an easement for the purpose of insuring a right
15 of solar access. The easement shall be in writing
16 and is subject to the same conveyancing and instrument
17 recording requirements as other easements except as
18 provided in section twelve (12) of this Act. An
19 instrument creating a solar easement may include,
20 among other things, the following:

21 a. The vertical and horizontal angles, expressed
22 in degrees, through which the solar easement extends
23 over the real property subject to the solar easement
24 and the points from which these angles are measured.

25 b. The stipulation that the growth of existing
26 and future vegetation or the height of buildings is
27 subject to the solar easement.

28 c. Terms or conditions under which the solar
29 easement can be abandoned or terminated.

30 d. Provisions for compensating the owner of the
31 property benefiting from the solar easement in the
32 event of interference with the enjoyment of the solar
33 easement, or for compensating the owner of the property
34 subject to the solar easement for maintaining that
35 easement.

36 Sec. 12. NEW SECTION. TERMINATION BY STATUTE.

37 Voluntary easements and solar access rights authorized
38 by sections one (1) through thirteen (13) of this
39 Act are exempt from sections six hundred fourteen
40 point seventeen (614.17) and six hundred fourteen
41 point twenty-four (614.24) of the Code. A statute
42 other than sections one (1) through thirteen (13)
43 of this Act which limits or extinguishes a right of
44 use does not apply to a voluntary easement or solar
45 access right authorized by sections one (1) through
46 thirteen (13) of this Act unless the statute
47 specifically states that it applies."

48 3. Page 3, line 1, by striking the word "and"
49 and inserting in lieu thereof the words "and which
50 is".

Page 9

- 1 4. Page 3, line 6, by inserting after the word
 2 "system;" the words "to promote the conservation of
 3 energy resources";.
- 4 5. Page 5, line 2, by striking the word "and"
 5 and inserting in lieu thereof the words "and which
 6 is".
- 7 6. Page 5, line 7, by inserting after the word
 8 "system;" the words "to promote the conservation of
 9 energy resources".
- 10 7. Page 5, by inserting after the line 16 the
 11 following section:
 12 "Sec. . This Act does not alter, amend, deny,
 13 impair or modify a solar right, lease, easement or
 14 contract right which was vested prior to the effective
 15 date of this Act."
- 16 8. By renumbering as necessary in conformance
 17 with this amendment.

Fiscal note is not required.

Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers by prohibiting a manufacturer from requiring a distributor to pay to a manufacturer a refund etc.

Recommended Amend and Do Pass.

H-3812

- 1 Amend Senate File 388 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 9, by striking the word
 4 "subsections" and inserting in lieu thereof the word
 5 "subsection".
 6 2. Page 1, by striking lines 13 through 17.

Fiscal note is not required.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 437, a bill for an act to repeal the limitation on charitable devises.

Recommended Amend and Do Pass.

H-3809

- 1 Amend Senate File 437 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking line 8 and inserting in
 4 lieu thereof the words "hospitalized to be deemed
 5 a lunatic, a person of unsound mind;".

Fiscal note is not required.

AMENDMENTS FILED

H-3814	S.F. 373	Miller of Buchanan
H-3815	H.F. 681	Spear of Lee
H-3816	S.F. 278	Woods of Polk
		Schroeder of Pottawattamie
H-3817	H.F. 688	Welden of Hardin
		Cochran of Webster
H-3818	H.F. 681	Pope of Polk
		Connolly of Dubuque
		Lloyd-Jones of Johnson
		Pavich of Pottawattamie
		Groth of Buena Vista
H-3819	H.F. 560	Hibbs of Johnson
		Schroeder of Pottawattamie
		Dieleman of Marion
		De Groot of Lyon
		Harbor of Mills
		Holt of Clay
		Branstad of Winnebago
		Diemer of Black Hawk
		Danker of Pottawattamie
		Pellett of Cass
		Johnson of Linn
		Lageschulte of Bremer
H-3820	H.F. 688	Tyrrell of Iowa
H-3821	S.F. 450	Cochran of Webster
H-3822	S.F. 361	Van Maanen of Mahaska
H-3823	H.F. 688	Conlon of Muscatine
		Smalley of Polk

On motion by Halvorson of Clayton the House adjourned at 6:00 p.m., until 10:00 a.m., Tuesday, April 10, 1979.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day—Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 10, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Thomas Soerens, pastor of the Christian Reformed Church, Cedar, Iowa.

The Journal of Monday, April 9, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Steve Humphrey, Resident, Broadlawns Polk County Hospital, Des Moines, Iowa.

PRESENTATION OF VISITORS

Swearingen of Keokuk presented to the House, the Honorable Keith L. Vetter, former member of the House representing Washington County.

The Speaker announced that the following visitors were present in the House chamber:

Forty senior students from Dowling High School, West Des Moines, Iowa, accompanied by Virginia Sourbeer. By Thompson of Polk.

Twenty eleventh and twelfth grade students from Cascade Junior-Senior High School, Cascade, Iowa, accompanied by Sharon Donovan and Carmie McDonnell. By Shimanek of Jones.

Forty-six fifth grade students from Clemons Elementary School, Clemons, Iowa, accompanied by Mrs. Patricia McIntosh and Mr. Carlton. By West of Marshall.

Thirty fourth grade students from Phillips Elementary School, Des Moines, Iowa, accompanied by Doris Stukenberg. By Connors of Polk.

Ninety fifth grade students from Audubon Junior High School, Audubon, Iowa, accompanied by Mrs. Hutchins. By Anderson of Audubon.

PETITION FILED

The following petition was received and placed on file:

By Pavich of Pottawattamie, from three hundred five constituents requesting the legislature to debate legislation concerning utility rates.

INTRODUCTION OF BILL

House File 738, by committee on appropriations, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

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 on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 22, a bill for an act relating to cost-sharing funds for mandated soil conservation projects.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 61, a bill for an act providing that a defendant awaiting a judgment of conviction shall not be admitted to bail.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 64, a bill for an act providing that rules and forms submitted by the supreme court to the general assembly shall take effect the July first following their submission.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 95, a bill for an act to clarify the notice of adoption hearing provision in the Code.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 174, a bill for an act relating to membership of the boards of adjustment of cities.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 198, a bill for an act relating to eligibility of municipal fire and police personnel for workers' compensation.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 304, a bill for an act permitting latch-open devices on fuel hose nozzle valves.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 395, a bill for an act relating to investments in obligations of the United States farm credit system by persons whose investments are restricted by the laws of this state.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 451, a bill for an act to prohibit certain corporations and certain trusts from acquiring or leasing agricultural land in Iowa.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 455, a bill for an act relating to the amount of capital and surplus required for insurance companies to transact business in Iowa.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 468, a bill for an act to provide a procedure for leasing a portion of a school building.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 470, a bill for an act to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 499, a bill for an act relating to the payment of hospitalization and medical benefits for certain retired employees of police and fire departments.

Also: That the Senate has on April 6, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 645, a bill for an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 649, a bill for an act to amend the Iowa Banking Act regarding state bank reports.

Also: That the Senate has on April 6, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 662, a bill for an act limiting the hotel and motel tax to a tax on sleeping accommodations and making corrective changes in the hotel and motel tax.

Also: That the Senate has on April 6, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 4, relating to the printing of intragovernmental reports.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 61

H-3829

- 1 Amend House File 61 as follows:
- 2 1. Page 1, by striking lines 11 and 12
- 3 and inserting in lieu thereof the following:
- 4 "2. A defendant appealing a conviction of a
- 5 class A felony."

SENATE AMENDMENT TO
HOUSE FILE 174

H-3828

- 1 Amend House File 174 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 18, by inserting after the word

4 "present." the following: "A majority of the members
 5 of the board of adjustment shall be persons
 6 representing the public at large and shall not be
 7 involved in the business of purchasing or selling
 8 real estate.".

SENATE AMENDMENT TO
 HOUSE FILE 468

H-3827

1 Amend House File 468 as amended, passed and reprinted
 2 by the House as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "purposes" the words "for a period of not to exceed
 5 five years. The lease may be renewed at the option
 6 of the board".

SENATE AMENDMENT TO
 HOUSE FILE 470

H-3826

1 Amend House File 470 as follows:
 2 1. Page 1, lines 6 and 7, by striking the words
 3 "under chapter two hundred thirty-seven (237) of the
 4 Code" and inserting in lieu thereof the words "by
 5 the department of social services".
 6 2. Page 1, by striking lines 10 through 20 and
 7 inserting in lieu thereof the following:
 8 "Sec. 3. NEW SECTION. TORT ACTIONS. A foster
 9 parent licensed by the department of social services
 10 stands in the same relationship to his or her minor
 11 foster child, for purposes of tort actions by or on
 12 behalf of the foster child against the foster parent,
 13 as a natural parent to his or her minor child who
 14 resides at home. This section does not apply to a
 15 foster parent whose malicious, willful and wanton
 16 conduct causes injury or damage to a foster child
 17 or exposes the foster child to a danger caused by
 18 violation of a statute or the rules of the department
 19 of social services."

SENATE AMENDMENT TO
 HOUSE FILE 649

H-3825

1 Amend House File 649 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 8, line 19, by striking the words "twenty-

4 five fifty" and inserting in lieu thereof the words
5 "twenty-five".

6 2. Page 8, by striking lines 22 through 24 and
7 inserting in lieu thereof the following:

8 "Sec. 13. Section five hundred twenty-four point
9 eight hundred five (524.805), subsection two (2),
10 Code 1979, is amended by striking the subsection and
11 inserting in lieu thereof the following:

12 However, interest paid on a demand account shall
13 not exceed a rate which exceeds the maximum interest
14 rate which Iowa state banks insured by the federal
15 deposit insurance corporation are permitted by federal
16 law to pay on insured passbook savings accounts."

17 3. Page 10, by striking lines 3 through 8 and
18 inserting in lieu thereof the following:

19 "Sec. . Section five hundred twenty-four point
20 nine hundred four (524.904), subsection four (4),
21 Code 1979, is amended by striking paragraph g and
22 inserting in lieu thereof the following:

23 g. Obligations of a customer which is a bank to
24 the extent the obligations are repayable on demand
25 or on the first business day following demand for
26 repayment."

SENATE AMENDMENT TO
HOUSE FILE 662

H—3824

1 Amend House File 662 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, line 2, by inserting after the word
4 "impose" the words "repeal or change the rate
5 of".

6 2. Page 2, lines 2 and 3, by striking the words
7 "or increase the tax rate".

8 3. Page 2, line 5, by striking the words "or
9 increase" and inserting in lieu thereof the words
10 "repeal or change".

11 4. Page 2, line 6, by inserting after the
12 word "election." the words "The election requirement
13 shall apply only to reduction or repeal of the tax
14 in the case where a unit of government has a bond
15 issue which is guaranteed by the receipts from the
16 hotel and motel tax."

QUORUM CALL

Roll call was requested by De Groot of Lyon and Johnson of Woodbury to determine that a quorum was present.

Present, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schneklath	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

Absent, 14:

Byerly	Chiodo	Clark, B.J.	Crawford
Doyle	Hullinger	Jay	Lorenzen
Patchett	Rapp	Schroeder	Stromer
Van Maanen	Walter		

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **Senate File 373**, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept

suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code, and the committee amendment H—3713, found on pages 1343 through 1347 of the House Journal (divisions listed on page 1430).

The House resumed consideration of the committee amendment H—3713E and amendment H—3781A (found on page 1459 of the House Journal), to amendment H—3713E.

Perkins of Greene asked for unanimous consent to defer action on amendment H—3781A.

Objection was raised.

Perkins of Greene asked for unanimous consent to take up for consideration amendment H—3830.

Objection was raised.

Perkins of Greene moved to suspend the rules to consider and adopt the following amendment H—3830, to the committee amendment H—3713E, filed by him from the floor:

H—3830

- 1 Amend the committee amendment H—3713, to Senate
- 2 File 373, as passed by the Senate and reprinted,
- 3 as follows:
- 4 1. Page 4, line 10, by inserting after the
- 5 word "weather" the following: "or temporary
- 6 unemployment as defined in section ninety-six point
- 7 nineteen (96.19), subsection nine (9), paragraph c,
- 8 of the Code".

Roll call was requested by Perkins of Greene and Jochum of Dubuque.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider and adopt amendment H—3830?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Anderson, J.	Jesse	Krewson
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The motion lost.

Jochum of Dubuque moved the adoption of amendment H—3781A, to the committee amendment H—3713E.

Roll call was requested by Jochum of Dubuque and Walter of Pottawattamie.

On the question "Shall amendment H—3781A, to amendment H—3713E, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Kirkenslager
Lloyd-Jones	Loneragan	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Jesse	Krewson	Norland
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Amendment H—3781A lost.

Jochum of Dubuque asked and received unanimous consent to withdraw amendments H—3781B and H—3781C.

Byerly of Polk offered amendment H—3789, to the committee amendment H—3713E, filed by him and requested division as follows:

H—3789

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:

H-3789A

- 4 1. Page 2, line 15, by inserting after the word
 5 "work" the words "or equal to ten times the indi-
 6 vidual's weekly benefit amount".
- 7 2. Page 2, line 19, by inserting after the word
 8 "work" the words "or equal to ten times the
 9 individual's weekly benefit amount".
- 10 3. Page 2, line 34, by inserting after the word
 11 "work" the words "or equal to ten times the
 12 individual's weekly benefit amount".

H-3789B

- 13 4. Page 2, by striking line 42, and inserting
 14 in lieu thereof the words "training, his or her
 15 experience and prior earnings,".

Byerly of Polk moved the adoption of amendment H-3789A, to the committee amendment H-3713E.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H-3789A, to the committee amendment H-3713E, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura

Maulsby	McKean	Menke	Miller
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 4:

Husak	Jesse	Shull	West
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Amendment H—3789A lost.

(Senate File 373 and the committee amendment H—3713E pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:05 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty ninth grade students from Fairfield Junior High School, Fairfield, Iowa, accompanied by Mrs. Franklin. By Millen of Van Buren.

Thirty-two eighth grade students from St. Marys Regional School, Panama, Iowa, accompanied by Sister Mary. By Danker of Pottawattamie.

QUORUM CALL

Roll call was requested by Lura of Marshall and Hoffmann of Muscatine to determine that a quorum was present.

Present: 85

Arnould	Bennett	Bina	Binneboese
Branstad	Bruner	Byerly	Chiodo

Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Kirkenslager	Krewson
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Oxley
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Smalley
Spear	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

Absent: 15

Anderson, J.	Anderson, R.	Avenson	Brandt
Egenes	Groth	Jesse	Johnson, W.
Lageschulte	Norland	O'Kane	Patchett
Perkins	Shull	Tofte	

BUSINESS PENDING

The House resumed consideration of Senate File 373 and the committee amendment H-3713.

Action on the committee amendment H-3713E was temporarily deferred.

Kirkenslager of Des Moines offered the following amendment H-3716, to the committee amendment H-3713F, filed by him and moved its adoption:

H-3716

- 1 Amend the House committee amendment, H-3713
- 2 to Senate File 373 as follows:
- 3 1. Page 2, by striking lines 20 through 31.

A non-record roll call was requested.

The ayes were 40, nays 54.

Amendment H—3716 lost.

Welsh of Dubuque offered the following amendment H—3794, to the committee amendment H—3713F, filed by him and moved its adoption:

H—3794

1 Amend House Committee amendment H—3713 to
 2 Senate File 373 as passed and reprinted by the
 3 Senate to read as follows:
 4 1. Page 2, by striking lines 21 through line 31,
 5 and inserting in lieu thereof the words “ “any.”
 6 the words “The department through its division of
 7 job placement shall, when applicable, furnish the
 8 claimant with the names of employers which are
 9 seeking employees. If the work is deemed suitable,
 10 the individual shall apply to and obtain the
 11 signatures of the employers designated by the
 12 department on forms provided by the department,
 13 unless the employers refuse to sign the forms. The
 14 claimant’s failure to obtain the signatures of
 15 designated employers, which have not refused to sign
 16 the forms, shall disqualify the claimant from
 17 further benefits until requalified. The department
 18 shall report, as part of its report to the general
 19 assembly, the number of claimants referred, employ-
 20 er signatures obtained, disqualifications, and any
 21 other information which the department feels is
 22 pertinent to any recommendation the department
 23 may make to the general assembly.”.

Roll call was requested by Welsh of Dubuque and Conlon of Muscatine.

On the question “Shall amendment H—3794, to amendment H—3713F, be adopted?”

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Norland	O’Kane
Oxley	Pavich	Rapp	Sherzan

Spear
Woods

Walter

Wells

Welsh

The nays were, 58:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 1:

Patchett

Amendment H—3794 lost.

Pope of Polk moved the adoption of the committee amendment H—3713F.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall the committee amendment H—3713F be adopted?"

The ayes were, 64:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Pellett
Pelton	Perkins	Poffenberger	Pope

Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 33:

Arnould	Avenson	Bina	Binneboese
Bruner	Byerly	Chiodo	Connolly
Connors	Cusack	Davitt	Doyle
Gettings	Hall	Hinkhouse	Horn
Howell	Hullinger	Jay	Jesse
Jochum	Kirkenslager	Lloyd-Jones	Lonergeran
O'Kane	Oxley	Pavich	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

Absent or not voting, 3:

Anderson, R.	Norland	Patchett
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The committee amendment H—3713F was adopted.

The House resumed consideration of the committee amendment H—3713E.

Jesse of Polk offered the following amendment H—3806, to the committee amendment H—3713E, filed by Jesse, et al.:

H—3806

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373, as amended, passed, and reprinted
- 3 by the Senate, as follows:
- 4 1. Page 2, by striking lines 17 through 19 and
- 5 inserting in lieu thereof the following:
- 6 "6. Page 6, by striking lines 7 through 30 and
- 7 inserting in lieu thereof the following:
- 8 "a. ~~He or she~~ The individual shall forfeit one
- 9 to ~~nine~~ seven weeks benefits for simple misconduct.
- 10 Simple misconduct may include but is not limited to
- 11 the following types of offenses: tardiness,
- 12 absenteeism, use of profanity, loafing,
- 13 insubordination, violation of a known company rule,
- 14 failure to follow instructions, and unsatisfactory
- 15 performance of duties.
- 16 b. The individual shall forfeit eight to fourteen
- 17 weeks benefits for serious misconduct. Serious
- 18 misconduct may include but is not limited to the

19 following types of offenses: intoxication, chargeable
 20 accident, serious damage to property, fighting on
 21 the premises, insubordination, and falsification of
 22 the application of hire.
 23 In lieu of the fourteen weeks forfeiture of benefits
 24 the department may require the individuals, after
 25 being disqualified for benefits under this paragraph,
 26 to requalify for benefits.
 27 b c. Provided further, if gross misconduct is
 28 established, he or she the individual shall forfeit
 29 from ten fourteen weeks benefits to the maximum amount
 30 payable in his or her the individual's current benefit
 31 period. The individual shall also forfeit the wage
 32 credits attributable to the employer from which the
 33 individual was discharged. The department may also
 34 require the individual to requalify for benefits." "

Pope of Polk rose on a point of order that amendment H—3806 was not germane.

The Speaker ruled the point well taken and amendment H—3806 not germane.

Jesse of Polk rose on a point of order and challenged the ruling of the chair.

Roll call was requested by Harbor of Mills and Danker of Pottawattamie.

On the question "Shall the ruling of the chair be sustained?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halfverson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger,	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West			

The nays were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Larsen
Lloyd-Jones	Lonerган	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

Absent or not voting, 4:

Doyle	Husak	Perkins	Mr. Speaker
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The motion prevailed and the ruling of the chair was sustained.

Jesse of Polk moved that the rules be suspended to consider and adopt amendment H-3806, to the committee amendment H-3713E.

Roll call was requested by Jesse of Polk and Patchett of Johnson.

On the question "Shall the rules be suspended to adopt amendment H-3806?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Larsen	Lloyd-Jones	Lonerган	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot

Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenlager	Krewson	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Husak Woods

The motion lost.

PRESENTATION OF VISITOR

Avenson of Fayette presented to the House the Honorable Jerome Fitzgerald, former member of the House representing Webster County.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Pope of Polk moved the adoption of the committee amendment H—3713E.

Roll call was requested by Patchett of Johnson and Jesse of Polk.

On the question "Shall the committee amendment H—3713E be adopted?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Lind
Lorenzen	Lura	Maulsby	McKean

Menke	Miller	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 44:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Larsen	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 3:

Arnould	Perkins	Stromer
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The committee amendment H—3713E was adopted.

The House resumed consideration of amendment H—3789B, to the committee amendment H—3713G.

Byerly of Polk rose on a point of order and requested whether or not amendment H—3789B was germane.

The Speaker ruled the point not well taken and amendment H—3789B germane.

Byerly of Polk moved the adoption of amendment H—3789B, to amendment H—3713G.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—3789B, to amendment H—3713G, be adopted?"

The ayes were, 43:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo

Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellet
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Arnould	Krewson	Perkins
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Amendment H—3789B lost.

Connors of Polk offered the following amendment H—3777, to the committee amendment H—3713G, filed by him and moved its adoption:

H—3777

- 1 Amend the House Committee amendment, H—3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:
- 4 1. Page 3, by striking lines 9 through 18 and
- 5 inserting in lieu thereof the words "after the
- 6 fifth week of unemployment".

A non-record roll call was requested.

The ayes were 44, nays 54.

Amendment H—3777 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott for the remainder of the day on request of Lloyd-Jones of Johnson.

Pope of Polk moved the adoption of the committee amendment H—3713G.

Roll call was requested by Connolly of Dubuque and Welsh of Dubuque.

On the question "Shall the committee amendment H—3713G be adopted?"

The ayes were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 43:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

Absent or not voting, 2:

Arnould Perkins

The committee amendment H-3713G was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hinkhouse of Cedar for the remainder of the day on request of Anderson of Jasper.

Kirkenslager of Des Moines offered the following amendment H-3715, to the committee amendment H-3713H, filed by him:

H-3715

- 1 Amend the House committee amendment, H-3713
- 2 to Senate File 373 as follows:
- 3 1. Page 3, by striking lines 19 through 21.

(Senate File 373 and amendment H-3715, to the committee amendment H-3713H, pending at adjournment.)

UNANIMOUS CONSENT CALENDAR (House Resolution 34)

We respectfully request that House Resolution 34, filed on Monday, April 9, 1979 and found on page 1462 of the House Journal, be placed on the unanimous consent calendar.

LIND of Black Hawk
STROMER of Hancock
POPE of Polk

EXPLANATION OF VOTE

I was temporarily absent from the House chamber on April 10. Had I been present, I would have voted "nay" on amendment H-3789A to Senate File 373.

SHULL of Warren

I was necessarily absent from the House chamber on Friday, April 6. Had I been present, I would have voted "aye" on House File 717.

GROTH of Buena Vista

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 14), a bill for an act providing for the indexation of the state personal income tax by requiring the department of revenue to make annual percentage adjustments in the dollar amounts of the income tax rate brackets, low income exemption, civil service annuity exclusion optional standard deductions, personal and dependent exemption credits, and minimum filing requirements, to reflect changes in the consumer price index, and making the Act retroactive.

Recommended **Amend and Do Pass.**

COMMITTEE ON TRANSPORTATION

Senate File 450, a bill for an act establishing licensing for mobile home dealers and travel trailer dealers and providing a penalty.

Recommended **Amend and Do Pass.**

H-3844

- 1 Amend Senate File 450 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by inserting after line 33 the
- 4 following:
- 5 "4. "Mobile home manufacturer" means a person
- 6 engaged in the business of fabricating or assembling
- 7 mobile homes.
- 8 5. "Mobile home distributor" means a person who
- 9 sells or distributes mobile homes to mobile home
- 10 dealers either directly or through a distributor's
- 11 representative.
- 12 6. "Manufacturer's representative" means a
- 13 representative employed by a mobile home manufacturer.

14 7. "Distributor's representative" means a
15 representative employed by a mobile home distributor."

16 2. Page 2, line 10, by striking the word "fifty"
17 and inserting in lieu thereof the word "thirty-five".

18 3. Page 2, by inserting after line 31 the
19 following:

20 "Sec. . NEW SECTION. LICENSE APPLICATION AND
21 FEES.

22 1. Upon application and payment of a thirty-five
23 dollar fee, a person may be licensed as a manufacturer
24 or distributor of mobile homes. The application shall
25 be in the form and shall contain information as the
26 department prescribes. The license shall be granted
27 or refused within thirty days after application.
28 The license expires, unless sooner revoked or suspended
29 by the department, on December thirty-first of the
30 calendar year for which the license was granted.

31 2. Upon application and payment of a five dollar
32 fee, a person may be licensed as a manufacturer's
33 representative or distributor's representative of
34 mobile homes. The application shall be in the form
35 and shall contain information as the department
36 prescribes. The license shall be granted or refused
37 within thirty days after application. The license
38 expires, unless sooner revoked or suspended by the
39 department, on December thirty-first of the calendar
40 year for which the license was issued."

41 4. Page 2, by striking line 32 through page 3,
42 line 11, and inserting in lieu thereof the following:

43 "Sec. 5. NEW SECTION. NOTIFICATION.

44 1. The department shall send copies to the state
45 building code commissioner of all moving permits
46 issued for mobile homes under chapter three hundred
47 twenty-one E (321E) of the Code.

48 2. The department shall notify the state building
49 code commissioner of each license issued to a mobile
50 home dealer."

Page 2

1 5. Page 3, line 14, by inserting after the word
2 "dealer" the words ", mobile home manufacturer, mobile
3 home distributor, manufacturer's representative or
4 distributor's representative, as applicable,".

5 6. Page 3, line 16, by inserting after the word
6 "dealer" the words ", manufacturer, distributor or
7 representative".

8 7. Page 3, by striking lines 19 and 20 and
9 renumbering the remaining subsections.

10 8. Page 3, line 23, by inserting after the word
11 "dealer" the words "manufacturer, distributor,
12 manufacturer's representative or distributor's

13 representative".

14 9. Page 3, line 26, by inserting after the word
15 "dealer" the words ", manufacturer, distributor,
16 manufacturer's representative or distributor's
17 representative".

18 10. Page 4, line 11, by inserting after the word
19 "of" the words and figures "sections two (2) through
20 eight (8) of".

21 11. Page 4, line 13, by inserting after the word
22 "under" the words and figures "sections two (2) through
23 eight (8) of this Act".

24 12. Page 4, line 15, by inserting after the word
25 "dealer" the words ", mobile home manufacturer, mobile
26 home distributor, manufacturer's representative or
27 distributor's representative".

28 13. Page 4, lines 16 and 17, by striking the words
29 "mobile home dealer".

30 14. Page 4, line 20, by striking the word and
31 figure "seventeen (17)" and inserting in lieu thereof
32 the word and figure "twenty (20)".

33 15. Page 4, line 22, by striking the word "This"
34 and inserting in lieu thereof the words and figures
35 "Sections ten (10) through twenty (20) of this".

36 16. Page 4, line 25, by inserting after the word
37 "of" the words and figures "sections ten (10) through
38 twenty (20) of".

39 17. Page 4, line 26, by inserting after the word
40 "in" the words and figures "sections ten (10) through
41 twenty (20) of".

42 18. Page 5, line 2, by inserting after the word
43 "in" the words and figures "sections ten (10) through
44 twenty (20) of".

45 19. Page 5, by inserting after line 27 the
46 following new subsections:

47 "12. "Distributor's representative" means a repre-
48 sentative employed by a person who is a distributor.

49 13. "Manufacturer representative" means a
50 representative employed by a manufacturer."

Page 3

1 20. Page 7, line 21, by inserting after the word
2 "under" the words and figures "section thirteen (13)
3 of".

4 21. Page 8, line 2, by striking the word "permits"
5 and inserting in lieu thereof the words "a period".

6 22. Page 9, line 3, by inserting after the word
7 "of" the words and figures "sections ten (10) through
8 twenty (20) of".

9 23. Page 9, lines 30 and 31, by striking the word
10 and figure "seventeen (17)" and inserting in lieu

11 thereof the word and figure "twenty (20)".

12 24. Page 10, line 4, by inserting after the word
13 "under" the words and figure "section thirteen (13)
14 of".

15 25. Page 10, line 11, by inserting after the word
16 "under" the words and figures "sections thirteen (13)
17 or eighteen (18) of".

18 26. Page 10, line 14, by inserting after the word
19 "of" the words and figures "sections ten (10) through
20 twenty (20) of".

21 27. Page 10, line 24, by inserting after the word
22 "under" the words and figures "sections ten (10)
23 through twenty (20) of".

24 28. Page 11, by inserting after line 5 the
25 following:

26 "Sec. 16. NEW SECTION. MANUFACTURER'S OR
27 DISTRIBUTOR'S LICENSE. A manufacturer or distributor
28 of travel trailers shall not engage in business in
29 this state without a license pursuant to sections
30 ten (10) through twenty (20) of this Act.

31 Sec. 17. NEW SECTION. MANUFACTURER OR DISTRIBUTOR
32 REPRESENTATIVE. A manufacturer's or distributor's
33 representative shall not engage in business in this
34 state without a license pursuant to sections ten (10)
35 through twenty (20) of this Act.

36 Sec. 18. NEW SECTION. LICENSE APPLICATION AND
37 FEES.

38 1. Upon application and payment of a thirty-five
39 dollar fee, a person may be licensed as a manufacturer
40 or distributor of travel trailers. The application
41 shall be in the form and shall contain information
42 as the department prescribes. The license shall be
43 granted or refused within thirty days after
44 application. The license expires, unless sooner
45 revoked or suspended by the department, on December
46 thirty-first of the calendar year for which the license
47 was granted.

48 2. Upon application and payment of a five dollar
49 fee, a person may be licensed as a manufacturer's
50 representative or distributor's representative of

Page 4

1 travel trailers. The application shall be in the
2 form and shall contain information as the department
3 prescribes. The license shall be granted or refused
4 within thirty days after application. The license
5 expires, unless sooner revoked or suspended by the
6 department, on December thirty-first of the calendar
7 year for which the license was issued."

8 29. Page 11, line 6, by striking the figure "16"

- 9 and inserting in lieu thereof the figure "19".
 10 30. Page 11, line 7, by inserting after the word
 11 "of" the words and figures "sections ten (10) through
 12 twenty (20) of".
 13 31. Page 11, line 10, by striking the figure "17"
 14 and inserting in lieu thereof the figure "20".
 15 32. Page 11, line 11, by inserting after the word
 16 "of" the words and figures "sections twelve (12),
 17 sixteen (16) or seventeen (17) of".
 18 33. Page 11, line 11, by striking the word
 19 "chapter" and inserting in lieu thereof the word
 20 "Act".
 21 34. Renumber sections and correct internal
 22 references as are necessary in accordance with this
 23 amendment.

AMENDMENTS FILED

H—3831	S.F. 478	Pelton of Clinton
H—3832	S.F. 462	Hansen of O'Brien
		Pelton of Clinton
H—3833	H.F. 81	Norland of Worth
		Bina of Scott
		Cusack of Scott
H—3834	S.F. 432	Miller of Buchanan
		Mullins of Kossuth
H—3835	S.F. 432	Miller of Buchanan
H—3836	S.F. 264	Spear of Lee
H—3837	S.F. 264	Spear of Lee
H—3838	S.F. 264	Spear of Lee
H—3839	S.F. 264	Spear of Lee
H—3840	S.F. 286	Bennett of Ida
H—3841	H.F. 560	Tyrrell of Iowa
H—3842	H.F. 688	Hibbs of Johnson
H—3843	S.F. 264	Spear of Lee
H—3845	H.F. 688	Perkins of Greene
H—3846	H.F. 688	Perkins of Greene
H—3847	H.F. 688	Perkins of Greene
H—3848	H.F. 560	Tyrrell of Iowa
H—3849	H.F. 736	Evans of Grundy
H—3850	S.F. 478	Pelton of Clinton
		Walter of Pottawattamie
		Ritsema of Sioux
H—3851	H.F. 734	Woods of Polk
		Pavich of Pottawattamie
		Chiodo of Polk

H-3852	H.F. 688	Byerly of Polk
H-3853	H.F. 688	Walter of Pottawattamie
H-3854	H.F. 688	Schroeder of Pottawattamie
H-3855	H.F. 734	Gettings of Wapello
H-3856	H.F. 734	Gettings of Wapello
Perkins of Greene		Cusack of Scott
Jay of Appanoose		Tofte of Winneshiek
Cusack of Scott		Anderson of Jasper
Lonergan of Boone		Groth of Buena Vista
Dieleman of Marion		Walter of Pottawattamie
O'Kane of Woodbury		Sherzan of Polk
Avenson of Fayette		Norland of Worth
Bina of Scott		Connolly of Dubuque
Cochran of Webster		Binneboese of Plymouth
Halvorson of Webster		Bruner of Story
Miller of Buchanan		Howell of Floyd
H-3857	H.F. 734	Hinkhouse of Cedar
		Husak of Tama
		Davitt of Warren
		Avenson of Fayette
		Perkins of Greene
		Byerly of Polk
H-3858	H.F. 734	Cochran of Webster
		Lloyd-Jones of Johnson
H-3859	H.F. 734	Perkins of Greene
H-3860	H.F. 734	Welsh of Dubuque

On motion by Halvorson of Clayton the House adjourned at 5:59 p.m., until 10:00 a.m., Wednesday, April 11, 1979.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day — Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 11, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Arthur L. Allen pastor of the Ventura United Methodist Church, Ventura, Iowa.

The Journal of Tuesday, April 10, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. J. Latella, Webster City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Davitt of Warren, for the morning session, on request of Avenson of Fayette; Lind of Black Hawk on request of Halvorson of Clayton; Lonergan of Boone, for the morning session, on request of Crabb of Crawford.

PRESENTATION OF VISITORS

Hibbs of Johnson presented to the House the Honorable Howard N. Sokol, former member of the House, representing Osceola County.

Cusack of Scott presented to the House the Honorable Trave E. O'Hearn, former member of the House, representing Scott County.

The Speaker announced that the following visitors were present in the House chamber:

One hundred students from Audubon High School, Audubon, Iowa, accompanied by Don Kristensen. By Anderson of Audubon.

Eighty twelfth grade students from Belle Plaine Senior High School, Belle Plaine, Iowa, accompanied by Roland Hanson. By Husak of Tama.

Forty-three eighth grade students from Holy Trinity School, Des Moines, Iowa, accompanied by Mrs. Pavlik-Heger. By Smalley of Polk.

One hundred eighth grade students from Jesup High School, Jesup, Iowa, accompanied by Ron Day and Dennis Ricklefs. By Miller of Buchanan.

Fifteen seventh grade students from New Market Junior High School, New Market, Iowa, accompanied by Randy Collins. By Daggett of Taylor.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **Senate File 373**, a bill for an act relating to unemployment compensation by limiting benefits through (requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code and the committee amendment H—3713, found on pages 1343 through 1347 of the House Journal (divisions listed on page 1430).

The House resumed consideration of amendment H—3715 (found on page 1497 of the House Journal), to the committee amendment H—3713H.

Kirkenslager of Des Moines moved the adoption of amendment H—3715.

Roll call was requested by Connors of Polk and Connolly of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H—3715, to the committee amendment H—3713H be adopted?"

The ayes were, 34:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Howell	Hullinger	Husak
Jochum	Kirkenslager	Lloyd-Jones	Miller
Norland	Oxley	Patchett	Pavich
Perkins	Rapp	Spear	Walter
Wells	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 14:

Avenson	Chiodo	Cusack	Davitt
Hanson, D.	Horn	Jay	Jesse
Lind	Lonergan	O'Kane	Sherzan
Welsh	West		

Amendment H—3715 lost.

Pope of Polk moved the adoption of the committee amendment H—3713H.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question “Shall the committee amendment H—3713H be adopted?”

The ayes were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

The nays were, 36:

Arnould	Bina	Binneboese	Brandt
Bruner	Byerly	Cochran	Connolly
Connors	Cusack	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Husak
Jay	Jochum	Kirkenslager	Lloyd-Jones
Miller	Norland	O’Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Spear	Walter	Wells	Woods

Absent or not voting, 12:

Anderson, R.	Avenson	Chiodo	Davitt
Hullinger	Jesse	Lind	Lonergan
Sherzan	Thompson	Welsh	West

The committee amendment H—3713H was adopted.

Patchett of Johnson offered the following amendment H—3805, to the committee amendment H—3713I, filed by Jesse of Polk and moved its adoption:

H—3805

- 1 Amend the House Committee amendment, H—3713, to
2 Senate File 373, as amended, passed, and reprinted
3 by the Senate, as follows:
- 4 1. Page 3, by striking lines 22 through 24 and
5 inserting in lieu thereof the following:
6 "11. Page 18, lines 16 and 17, by striking the
7 words "determinations made" and inserting in lieu
8 thereof the words and figures "initial determinations
9 made by the department's representative under section
10 ninety-six point six (96.6), subsection two (2) of
11 the Code,"
- 12 2. Page 3, by striking lines 25 through 27, and
13 inserting in lieu thereof the following:
14 "12. Page 18, line 30, by striking the word
15 "determinations" and inserting in lieu thereof the
16 words and figures "initial determinations made by
17 the department's representative under section ninety-
18 six point six (96.6), subsection two (2) of the Code."
- 19 3. Page 3, by striking lines 34 through 36 and
20 inserting in lieu thereof the following:
21 "14. Page 19, line 8, by striking the word
22 "determinations" and inserting in lieu thereof the
23 words and figures "initial determinations made by
24 the department's representative under section ninety-
25 six point six (96.6), subsection two (2) of the Code."

Amendment H—3805 was adopted.

On motion by Pope of Polk the committee amendment H—3713I, as amended, was adopted.

On motion by Pope of Polk, the committee amendment H—3713J was adopted.

Kirkenslager of Des Moines asked and received unanimous consent to withdraw amendment H—3769, to the committee amendment H—3713K, filed by him on April 6, 1979.

On motion by Pope of Polk, the committee amendment H—3713K, was adopted.

On motion by Pope of Polk, the committee amendment H—3713M was adopted.

Kirkenslager of Des Moines offered the following amendment H—3641 filed by him:

H—3641

1 Amend Senate File 373 as follows:
2 1. By striking page 1, line 4 through page 2,
3 line 1 and inserting in lieu thereof the following:
4 "With respect to benefit years beginning on or
5 after July 1, ~~1975~~ 1979, an eligible individual's
6 weekly benefit amount for a week of total unemployment
7 shall be an amount equal to ~~one twentieth~~ one twenty-
8 first of his or her the individual's total wages in
9 insured work paid during that quarter of his or her
10 the individual's base period in which such total wages
11 were highest, subject to the following limitation:
12 The director shall determine annually a maximum weekly
13 benefit amount by computing ~~sixty-six and two-thirds~~
14 sixty-two percent of the statewide average weekly
15 wage paid to employees in insured work which shall
16 be effective the first day of the first full week
17 in July. However, the maximum weekly benefit amount
18 shall remain at one hundred thirty-three dollars until
19 such time as sixty-two percent of the statewide average
20 weekly wage paid to employees in insured work on the
21 first day of the first full week in July exceeds one
22 hundred thirty-three dollars. At that time the maximum
23 weekly benefit amount shall be increased to sixty-
24 two percent of the statewide average weekly wage paid
25 to employees in insured work. Such maximum weekly
26 benefit amount, if not a multiple of one dollar shall
27 be rounded to the higher multiple of one dollar."

Miller of Buchanan asked and received unanimous consent to withdraw amendment H—3814, to the amendment H—3641, filed by him on April 9, 1979.

Kirkenslager of Des Moines moved the adoption of amendment H—3641.

Roll call was requested by Kirkenslager of Des Moines and Pavich of Pottawattamie.

Rule 80 was invoked.

On the question "Shall amendment H—3641 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jesse	Jochum	Kirkenslager	Larsen
Lloyd-Jones	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Rapp
Spear	Walter	Wells	Welsh
Woods			

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 7:

Clark, B.J.	Davitt	Jay	Lind
Lonergan	Sherzan	West	

Amendment H—3641 lost.

Jochum of Dubuque offered the following amendment H—3801 filed by him and Jesse of Polk and moved its adoption:

H—3801

- 1 Amend Senate File 373 as passed, and reprinted
- 2 by the Senate to read as follows:
- 3 1. Page 2, by striking lines 2 through 35.

Roll call was requested by Patchett of Johnson and Binneboese of Plymouth.

On the question "Shall amendment H—3801 be adopted?"

The ayes were, 29:

Arnould	Bina	Brandt	Bruner
Byerly	Chiодо	Connolly	Corry
Cusack	Doyle	Gettings	Hall
Halvorson, R.N.	Horn	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

The nays were, 61:

Anderson, J.	Anderson, R.	Bennett	Binneboese
Branstad	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Hummel	Jay	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrell	Van Maanen	Welden
Mr. Speaker			

Absent or not voting, 10:

Avenson	Cochran	Davitt	Husak
Krewson	Lind	Lonergan	Norland
Spear	West		

Amendment H—3801 lost.

(Senate File 373 pending at recess.)

Halvorson of Clayton asked and received unanimous consent to suspend Rule 61 for the committee on appropriations subcommittee on state government meeting on recess.

On motion by Halvorson of Clayton the House was recessed at 12:47 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

Larsen of Wapello presented to the House, Rotary Exchange Student, Shelly Dyer of New Zealand. Her host family is Mr. and Mrs. Verle Handy of Ottumwa, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Forty-seven students from Webster City High School, Webster City, Iowa, accompanied by Berneta Balsley. By Egenes of Story.

QUORUM CALL

Roll call was requested by Schnekloth of Scott and De Groot of Lyon to determine that a quorum was present. Rule 80 was invoked.

Present: 88

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lloyd-Jones
Loneragan	Lura	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Woods	Mr. Speaker

Absent: 12

Branstad	Daggett	Egenes	Evans
Jesse	Lageschulte	Larsen	Lind
Lorenzen	Maulsby	Rapp	West

BUSINESS PENDING

The House resumed consideration of Senate File 373.

Byerly of Polk offered the following amendment H—3779 filed by him and moved its adoption:

H—3779

- 1 Amend Senate File 373 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 2, by striking lines 13 through 22 and
- 4 inserting in lieu thereof the words:
- 5 "his or her the individual's account with one-half
- 6 of the wages for insured work paid him or her to
- 7 the individual during his or her the individual's
- 8 base period. Benefits paid to an eligible".

Roll call was requested by Bina of Scott and Cusack of Scott.

On the question "Shall amendment H—3779 be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 48:

Anderson, J.	Bennett	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Danker	De Groot	Diemer	Egenes
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel

Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lorenzen	Lura
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 10:

Branstad	Daggett	Evans	Jesse
Lind	Maulsby	Perkins	Rapp
Shimanek	West		

Amendment H—3779 lost.

Pope of Polk asked and received unanimous consent to suspend Rule 25 and that Mr. Tom McDonald, Tax Division, Job Service of Iowa, be permitted in the House chamber during consideration of Senate File 373.

Anderson of Jasper offered the following amendment H—3808 filed by him and moved its adoption:

H—3808

- 1 Amend Senate File 373 as passed, and reprinted
- 2 by the Senate as follows:
- 3 1. Page 2, line 13, by striking the word
- 4 "one-third" and inserting in lieu thereof the word
- 5 "two-fifths".
- 6 2. Page 2, line 20, by striking the word
- 7 "one-third" and inserting in lieu thereof the word
- 8 "two-fifths".

Roll call was requested by Chiodo of Polk and Bina of Scott.

On the question "Shall amendment H—3808 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Kirkenslager	Lloyd-Jones

Lonergan	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Daggett	Doyle	Hullinger	Lind
Woods			

Amendment H—3808 lost.

Jochum of Dubuque offered the following amendment H—3800 filed by him and moved its adoption:

H—3800

1 Amend Senate File 373, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 19, by inserting after the word
 4 "employed," the words "or due to the individual's
 5 employer permanently discontinuing the entire business,
 6 or a portion of the business through a mass separation
 7 from employment,".
 8 2. Page 2, line 31, by inserting after the word
 9 "employed," the words "or due to the individual's
 10 employer permanently discontinuing the entire business,
 11 or a portion of the business through a mass separation
 12 from employment,".
 13 3. Page 2, line 35, by inserting after the word
 14 "account." the words "For the purposes of this
 15 subsection, a permanent discontinuation of the entire
 16 business or a portion of the business shall not include
 17 seasonal fluctuations in employment."

Roll call was requested by Jochum of Dubuque and Gettings of Wapello.

On the question "Shall amendment H—3800 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jochum	Kirkenlager	Lloyd-Jones	Loneragan
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 55:

Anderson, J.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorezen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Daggett	Hoffmann	Jesse	Lind
Patchett			

Amendment H—3800 lost.

Jochum of Dubuque offered the following amendment H—3758 filed by him and Pavich of Pottawattamie and moved its adoption:

H—3758

- 1 Amend Senate File 373, as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 2, line 19, by inserting after the word

- 4 "employed," the words "or for an individual who is
- 5 disabled,"
- 6 2. Page 2, line 31, by inserting after the word
- 7 "employed," the words "or if the individual is
- 8 disabled,"
- 9 3. Page 2, line 35, by inserting after the word
- 10 "account." the words "For the purposes of this
- 11 subsection "disabled" or "disability" means
- 12 "disability" as defined in section six hundred one
- 13 A point two (601A.2), subsection eleven (11) of the
- 14 Code."

Roll call was requested by Jochem of Dubuque and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H—3758 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochem
Kirkenslager	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 2:

Clark, J.H. Lind

Amendment H—3758 lost.

Howell of Floyd offered the following amendment H—3799 filed by Howell, et al., and moved its adoption:

H—3799

- 1 Amend Senate File 373, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 22, by inserting after the
- 4 word "period." the following:
- 5 "Provided further if the unemployment rate of a
- 6 county exceeds the national average unemployment rate
- 7 the governor may declare that county as well as
- 8 other counties an economically impacted area
- 9 and extend the maximum benefits payable not to
- 10 exceed thirty-nine weeks for individuals residing in
- 11 or working in that county or counties. The individuals
- 12 so affected shall also be credited with one-half,
- 13 instead of one-third, of wages for insured work paid
- 14 the individual during the individual's base period."

Roll call was requested by Bina of Scott and Welsh of Dubuque.

On the question "Shall amendment H—3799 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Norland	O'Kane	Oxley
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs

Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Harbor	Lind	Lorenzen	Patchett
Shimanek			

Amendment H—3799 lost.

Miller of Buchanan offered the following amendment H—3748 filed by him and moved its adoption:

H—3748

- 1 Amend Senate File 373, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 22 the follow-
- 4 ing:
- 5 "If the department cannot recover an overpayment
- 6 after two years from the last date of the overpayment
- 7 the charge for the overpayment against the employer's
- 8 account shall be removed and the account shall be
- 9 credited with an amount equal to the overpayment from
- 10 the unemployment compensation trust fund."

Amendment H—3748 was adopted.

Miller of Buchanan asked and received unanimous consent to withdraw amendment H—3757 (to page 3) filed by him on April 5, 1979.

Jochum of Dubuque offered the following amendment H—3787 filed by him and moved its adoption:

H—3787

- 1 Amend Senate File 373 as passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 3, line 30, by striking the words "and
- 4 the employer".

A non-record roll call was requested.

The ayes were 36, nays 51.

Amendment H—3787 lost.

Jochum of Dubuque offered the following amendment H—3783 filed by him and moved its adoption:

H—3783

- 1 Amend Senate File 373 as passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 6, line 30, by striking the comma and
- 4 the words ", from all employers".

A non-record roll call was requested.

The ayes were 22, nays 66.

Amendment H—3783 lost.

Jesse of Polk offered the following amendment H—3802 filed by him and moved its adoption:

H—3802

- 1 Amend Senate File 373 as passed, and reprinted
- 2 by the Senate to read as follows:
- 3 1. Page 7, line 13, by inserting after the
- 4 word "her" the words "that individual".

Amendment H—3802 was adopted.

Tyrrell of Iowa asked for unanimous consent to withdraw the following amendment H—3717 filed by Tyrrell, et al.:

H—3717

- 1 Amend Senate File 373 as follows:
- 2 1. Page 8, by striking lines 10 and 11 and
- 3 inserting in lieu thereof the following:
- 4 "(1) If the position offered is vacant due
- 5 directly to a strike, lockout, or other labor
- 6 dispute;"
- 7 2. Page 8, line 12, by striking the figure

- 8 "(2)" and inserting in lieu thereof the figures
 9 "(2) (1)".
 10 3. Page 8, line 15, by striking the figure
 11 "(3)" and inserting in lieu thereof the figures
 12 "(3) (2)".

Objection was raised.

Tyrrell of Iowa moved the adoption of amendment H—3717.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—3717 be adopted?"

The ayes were, none.

The nays were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Sherzan	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

Absent or not voting, 6:

Clark, J.H.	Connors	Jesse	Lind
Rapp	Shimanek		

Amendment H—3717 lost.

Connors of Polk asked for unanimous consent to be recorded as voting "nay" on amendment H—3717.

Objection was raised.

Tyrrell of Iowa offered the following amendment H—3710 filed by Tyrrell, et al., and moved its adoption:

H—3710

- 1 Amend Senate File 373 as follows:
- 2 1. Page 8, by striking lines 10 and 11.
- 3 2. Page 8, line 12, by striking the figure "(2)"
- 4 and inserting in lieu thereof the figure "(1)".
- 5 3. Page 8, line 15, by striking the figure "(3)"
- 6 and inserting in lieu thereof the figure "(2)".

Roll call was requested by Jochum of Dubuque and Bina of Scott.

On the question "Shall amendment H—3710 be adopted?"

The ayes were, 2:

Anderson, J.	Tyrrell
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The nays were, 90:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean

Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Sherzan
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

Absent or not voting, 8:

Crabb	Jesse	Krewson	Lind
Rapp	Schroeder	Shimanek	Stromer

Amendment H—3710 lost.

Miller of Buchanan offered the following amendment H—3729 filed by him and moved its adoption:

H—3729

1 Amend Senate File 373, as amended and passed by
 2 the Senate, as follows:
 3 1. Page 9, by inserting after line 19 the following
 4 new section:
 5 "Sec. . Section ninety-six point five (96.5),
 6 Code 1979, is amended by adding the following new
 7 subsection:
 8 NEW SUBSECTION. If an individual is temporarily
 9 laid off due to a disciplinary layoff or suspension
 10 imposed by the individual's employer."

Roll call was requested by Pope of Polk and Hibbs of Johnson.

On the question "Shall amendment H—3729 be adopted?"

The ayes were, 6:

Groth	Hinkhouse	Husak	Miller
O'Kane	Tofte		

The nays were, 86:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	De Groot	Dieleman

Diemer	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorezen	Lura	Maulsby
McKean	Menke	Mullins	Norland
Oxley	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Sherzan	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

Absent or not voting, 8:

Anderson, R.	Connors	Davitt	Jesse
Lind	Perkins	Schroeder	ShimaneK

Amendment H—3729 lost.

Jochum of Dubuque asked for unanimous consent to withdraw the following amendment H—3807 filed by him:

H—3807

- 1 Amend Senate File 373 as passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 12, line 6, by inserting after the
- 4 word "work" the following: "when directed by the
- 5 employment office or the department".

Objection was raised.

Jochum of Dubuque moved the adoption of amendment H—3807.

Amendment H—3807 lost.

Avenson of Fayette offered the following amendment H—3796 filed by Avenson, et al.:

H—3796

- 1 Amend Senate File 373, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, line 11, by inserting after the word

4 "Code." the words "However, a succeeding employer's
5 account shall not be charged with benefits due to
6 a transfer of wages from a previous employer's ac-
7 count to the succeeding employer's account if the
8 transferred benefit charges would reduce the
9 employer's percentage of excess by more than four
10 one-thousandths. Such benefits shall not be charged
11 to any employer's account."

(Senate File 373 and amendment H—3796 pending at adjournment.)

UNANIMOUS CONSENT CALENDAR
(House Resolution 21)

We respectfully request that House Resolution 21, filed on March 12, 1979 and found on page 884 of the House Journal, be placed on the unanimous consent calendar.

HIBBS of Johnson
DIEMER of Black Hawk
CRAWFORD of Story

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 on April 2, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act prohibiting political activities by assessors and their deputies.

FRANK J. STORK, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 11th day of April, 1979: House Files 64, 95 and 657.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

EXPLANATIONS OF VOTE

I was temporarily absent from the House chamber on April 11, 1979. Had I been present, I would have voted "aye" on amendment H-3715 to committee amendment H-3713 to Senate File 373 and "nay" on amendment H-3713H to Senate File 373.

WELSH of Dubuque

I was temporarily absent from the House chamber on April 11, 1979. Had I been present, I would have voted "nay" on amendment H-3715 to the committee amendment H-3713 to Senate File 373.

HANSON of Delaware

AMENDMENTS FILED

H-3861	H.F. 731	Conlon of Muscatine
H-3862	S.F. 478	Pelton of Clinton
		Walter of Pottawattamie
		Ritsema of Sioux
H-3863	H.F. 734	Groth of Buena Vista
Lonergan of Boone		Husak of Tama
Pavich of Pottawattamie		Miller of Buchanan
Welsh of Dubuque		Avenson of Fayette
Norland of Worth		Jay of Appanoose
Halvorson of Webster		Davitt of Warren
Anderson of Jasper		
H-3864	S.F. 432	Mullins of Kossuth
		Lonergan of Boone
		Miller of Buchanan
		Clark of Cerro Gordo
		Shimanek of Jones
		Connors of Polk
H-3865	H.F. 722	Hullinger of Decatur
		Jay of Appanoose
H-3866	H.F. 734	Howell of Floyd
H-3867	S.F. 230	Smalley of Polk
H-3868	S.F. 278	Woods of Polk
		Schroeder of Pottawattamie
H-3869	S.F. 344	Evans of Grundy
H-3870	S.F. 344	Hanson of Delaware
		Jochum of Dubuque

H-3871	H.F. 560	Tyrrell of Iowa
H-3872	S.F. 344	Hanson of Delaware
		Jochum of Dubuque
H-3873	H.F. 734	Harbor of Mills
H-3874	H.F. 734	Harbor of Mills
H-3875	H.F. 421	Conlon of Muscatine
H-3876	H.F. 681	Lloyd-Jones of Johnson
H-3877	S.F. 93	Brandt of Black Hawk
H-3878	S.F. 344	Doyle of Woodbury
H-3879	S.F. 448	Bina of Scott
		Dieleman of Marion
		Johnson of Linn
		Halvorson of Webster
H-3880	S.F. 447	Hummel of Benton
H-3881	H.F. 734	Tofte of Winneshiek
H-3882	H.F. 736	O'Kane of Woodbury
H-3883	H.F. 697	Lageschulte of Bremer
		Dieleman of Marion
		Cusack of Scott
		Shull of Warren
		Schnekloth of Scott
		Ritsema of Sioux
H-3884	H.F. 734	Pellett of Cass
		Cochran of Webster
		Tofte of Winneshiek
H-3885	H.F. 734	Cochran of Webster
		Hullinger of Decatur
		Hall of Linn
		Davitt of Warren
		Groth of Buena Vista
		Howell of Floyd

On motion by Halvorson of Clayton the House adjourned at 5:56 p.m., until 10:00 a.m., Thursday, April 12, 1979.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day—Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 12, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Mr. Homer Clark, husband of the Honorable Betty Jean Clark, state representative from Cerro Gordo County.

The Journal of Wednesday, April 11, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Bailey, Anamosa, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk on request of Halvorson of Clayton.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventy-nine sixth grade students from Southeast Elementary School, Ankeny, Iowa, accompanied by William Bell. By Byerly of Polk.

Fifty fifth grade students from Roosevelt Elementary School, Ames, Iowa, accompanied by Nathan Tosten. By Crawford of Story.

Thirty-two senior students from Lenox High School, Lenox, Iowa, accompanied by Mickey Roseneau and Mrs. Dougherty. By Daggett of Taylor.

PETITION FILED

The following petition was received and placed on file:

By Pavich of Pottawattamie, from thirty-six members of the Council Bluffs Food Dealers Association opposing legislation which would require dealers and distributors to accept completely crushed cans.

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 on April 10, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 466, a bill for an act prohibiting political activities by assessors and their deputies, and providing a penalty.

Read first time and referred to committee on **county government**.

Senate File 485, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Read first time and referred to committee on **appropriations**.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **Senate File 373**, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with

severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code, and amendment H—3796, (to page 12) found on pages 1524 and 1525 of the House Journal.

Pope of Polk asked and received unanimous consent to suspend Rule 25 and that Mr. John Knapp, Job Service of Iowa, be permitted in the House chamber during consideration of Senate File 373.

Avenson of Fayette moved the adoption of amendment H—3796.

Roll call was requested by Avenson of Fayette and Perkins of Greene.

Rule 80 was invoked.

On the question "Shall amendment H—3796 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 1:

Lind

Amendment H—3796 lost.

Miller of Buchanan asked and received unanimous consent to temporarily defer action on amendments H—3770 and H—3771.

Miller of Buchanan offered amendment H—3772 filed by him and requested division as follows:

H—3772

- 1 Amend Senate File 373, as amended and passed by
- 2 the Senate, as follows:
- 3 1. Page 12, by inserting after line 26 the follow-
- 4 ing:

H—3772A

- 5 "Sec. . . Section ninety-six point seven (96.7),
- 6 subsection three (3), paragraph d, Code 1979, is
- 7 amended by adding the following new unnumbered
- 8 paragraphs after unnumbered paragraph four (4):
- 9 NEW UNNUMBERED PARAGRAPH. Notwithstanding any
- 10 other provision of this chapter, if an employer, who
- 11 employs individuals for construction as defined by
- 12 the department by rule, has a negative balance in
- 13 the employer's account, then the employer shall
- 14 contribute an additional two percent of taxable wages
- 15 until the employer's negative balance is removed and
- 16 shall be subject to section thirty-three (33) of this
- 17 Act.

H-3772B

18 NEW UNNUMBERED PARAGRAPH. In addition to the
 19 provisions of section thirty-three (33) of this Act,
 20 the department may require a bond to secure the payment
 21 of all contributions by employers of individuals for
 22 construction when the employer has its principal place
 23 of business outside of the state and the employer's
 24 account has a negative balance. For the purpose of
 25 paragraph d of this subsection, "negative balance"
 26 means the balance of an employer's account in which
 27 the benefits charged to an employer exceed the em-
 28 ployer's contributions."
 29 2. Renumber the sections and internal references
 30 in conformance with this amendment.

Miller of Buchanan moved the adoption of amendment
 H-3772A.

A non-record roll call was requested.

The ayes were 27, nays 61.

Amendment H-3772A lost.

Miller of Buchanan moved the adoption of amendment
 H-3772B.

Roll call was requested by Avenson of Fayette and Welsh of
 Dubuque.

On the question "Shall amendment H-3772B be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Brandt	Lageschulte	Lind	Norland
O'Kane			

Amendment H-3772B lost placing out of order amendment H-3771 (to page 12) filed by Miller of Buchanan on April 6, 1979.

Miller of Buchanan offered amendment H-3770 filed by him and requested division as follows:

H-3770

- 1 Amend Senate File 373, as amended and passed by
- 2 the Senate, as follows:
- 3 1. Page 12, by inserting after line 26 the follow-
- 4 ing:

H-3770A

- 5 "Sec. . Section ninety-six point seven (96.7),
- 6 subsection three (3), paragraph d, Code 1979, is
- 7 amended by adding the following new unnumbered
- 8 paragraphs after unnumbered paragraph four (4):
- 9 NEW UNNUMBERED PARAGRAPH. Notwithstanding any
- 10 other provision of this chapter, if an employer, who
- 11 employs individuals for construction as defined by
- 12 the department by rule and has fifty percent or more
- 13 of the employer's gross income derived from contracts
- 14 with the state or a political subdivision, has a
- 15 negative balance in the employer's account, then the
- 16 employer shall contribute an additional two percent
- 17 of taxable wages until the employer's negative balance

18 is removed and shall be subject to section thirty-
19 three (33) of this Act.

H—3770B

20 NEW UNNUMBERED PARAGRAPH. In addition to the
21 provisions of section thirty-three (33) of this Act,
22 the department may require a bond to secure the payment
23 of all contributions by employers of individuals for
24 construction when the employer has its principal place
25 of business outside of the state and the employer's
26 account has a negative balance. For the purpose of
27 paragraph d of this subsection, "negative balance"
28 means the balance of an employer's account in which
29 the benefits charged to an employer exceed the em-
30 ployer's contributions."
31 - 2. Renumber the sections and internal references
32 in conformance with this amendment.

With the consideration of amendment H—3772B, which failed to be adopted, amendment H—3770B was ruled out of order.

Miller of Buchanan asked for unanimous consent to correct amendment H—3770B.

Objection was raised.

Miller of Buchanan moved the adoption of amendment H—3770A.

A non-record roll call was requested.

The ayes were 39, nays 47.

Amendment H—3770A lost.

Avenson of Fayette offered the following amendment H—3790 filed by him and moved its adoption:

H—3790

- 1 Amend Senate File 373, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by inserting after line 26 the
- 4 following:
- 5 "Sec. . Section ninety-six point seven (96.7),
- 6 subsection three (3), paragraph d, unnumbered paragraph
- 7 four (4), Code 1979, is amended to read as follows:

8 Each employer qualified for an experience rating
 9 shall be assigned a contribution rate for each rate
 10 year that corresponds to the employer's percentage
 11 of excess rank in the rate table effective for the
 12 rate year from the following rate tables. Each
 13 employer's percentage of excess rank shall be computed
 14 by listing all the employers by decreasing percentages
 15 of excess, from the highest positive percentage of
 16 excess to the highest negative percentage of excess
 17 and grouping the employers so listed into twenty-one
 18 separate ranks containing as nearly as possible four
 19 point seventy-six percent of the total taxable wages,
 20 excluding reimbursable employment wages, paid in
 21 covered employment during the first four completed
 22 calendar quarters immediately preceding the rate
 23 computation date. If an employer's taxable wages
 24 qualify the employer for two separate percentage of
 25 excess ranks the employer shall be afforded the
 26 percentage of excess rank assigned the lower
 27 contribution rate. However, if the employer's taxable
 28 wages, which qualify the employer for the percentage
 29 of excess assigned the higher contribution rate,
 30 exceed an amount equal to ten times the statewide
 31 average annual wage the taxable wages shall be afforded
 32 the percentage of excess assigned the higher
 33 contribution rate. Employers with identical percentages
 34 of excess shall be assigned to the same percentage
 35 of excess rank."

Roll call was requested by Avenson of Fayette and Davitt of Warren.

On the question "Shall amendment H—3790 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Swearingen
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker		

Absent or not voting, 5:

Crawford	Harbor	Lind	Stromer
Thompson			

Amendment H—3790 lost.

(Senate File 373 pending at recess.)

UNFINISHED BUSINESS CALENDAR (House File 736)

Evans of Grundy asked and received unanimous consent that House File 736, presently on the regular calendar, be placed on the unfinished business calendar.

On motion by Halvorson of Clayton the House was recessed at 12:17 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rapp of Black Hawk, for the afternoon session, on request of Norland of Worth.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twelve seventh, eighth and ninth grade students from Brody Junior High School, Des Moines, Iowa, accompanied by Mrs. Bowman. By Thompson of Polk.

Fifty fifth grade students from Crestview Elementary School, West Des Moines, Iowa, accompanied by Flora Freed. By Thompson of Polk:

Four seventh grade students from Cosgrove Middle School, Oxford, Iowa, accompanied by Linda Schneber. By Tyrrell of Iowa and McKean of Jones.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty members present, twenty absent.

BUSINESS PENDING

The House resumed consideration of Senate File 373.

Byerly of Polk offered the following amendment H—3791 filed by Byerly, et al.:

H—3791

- 1 Amend Senate File 373 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by inserting after line 26 the
- 4 following:
- 5 "Sec. . . Section ninety-six point seven (96.7),
- 6 subsection three (3), paragraph c, Code 1979, is
- 7 amended to read as follows:
- 8 c. Each contributing employer's rate of
- 9 contribution shall be two and seven-tenths percent
- 10 except as otherwise provided in this chapter. No
- 11 reduced rate of contribution shall be granted to a
- 12 contributing employer until there shall have been
- 13 twelve consecutive calendar quarters immediately
- 14 preceding the first computation date throughout which

15 his or her account has been chargeable with benefit
 16 payments. Provided, that with respect to the calendar
 17 year commencing January 1, 1972, and each calendar
 18 year thereafter, except as provided in paragraph "d"
 19 of this subsection, a contributing employer who has
 20 not been subject to this chapter for a sufficient
 21 period of time to meet the twelve-quarter requirement
 22 shall qualify for a computed rate of contribution
 23 if there shall have been a lesser period throughout
 24 which his or her account has been chargeable, but
 25 in no event less than eight consecutive calendar
 26 quarters immediately preceding the computation date;
 27 provided further, that with respect to the calendar
 28 years commencing January 1, 1972, and ending December
 29 31, 1977, except as provided in paragraph "d" of this
 30 subsection 1978, each contributing employer newly
 31 subject to this chapter shall pay contributions at
 32 the rate of one and five-tenths percent and beginning
 33 January 1, 1978 at the rate specified in the ninth
 34 percentage of excess rank but not less than one point
 35 eight six percent on two-thirds of the employer's
 36 annual payroll and at the rate specified in the sixth
 37 percentage of excess rank but not less than one percent
 38 on one-third of the employer's annual payroll until
 39 the end of the calendar year in which the employer
 40 shall have had eight consecutive calendar quarters
 41 immediately preceding the computation date throughout
 42 which his or her account has been chargeable with
 43 benefit payments, thereafter his or her contribution
 44 rate shall be determined in accordance with paragraph
 45 "d" of this subsection."

Pope of Polk rose on a point of order that amendment H-3791 was not germane.

The Speaker ruled the point not well taken and amendment H-3791 germane.

Byerly of Polk moved the adoption of amendment H-3791.

Roll call was requested by Norland of Worth and Davitt of Warren.

On the question "Shall amendment H-3791 be adopted?"

The ayes were, 36:

Anderson, R.
Binneboese

Arnould
Brandt

Avenson
Bruner

Bina
Byerly

Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Hall	Halvorson, R.N.	Hinkhouse	Horn
Husak	Jay	Jochum	Kirkenslager
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Pavich	Perkins
Sherzan	Spear	Wells	Woods

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 13:

Chiodo	Daggett	Groth	Howell
Hullinger	Jesse	Krewson	Lind
Patchett	Rapp	Walter	Welden
Welsh			

Amendment H—3791 lost.

Avenson of Fayette asked and received unanimous consent to withdraw amendment H—3803 (to page 12) filed by him on April 6, 1979.

Hullinger of Decatur offered the following amendment H—3728 filed by him and moved its adoption:

H—3728

- 1 Amend Senate File 373, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 13, line 12, by striking the word "forty"
- 4 and inserting in lieu thereof the words "forty twenty".

Roll call was requested by Hullinger of Decatur and Anderson of Jasper.

Rule 80 was invoked.

On the question "Shall amendment H—3728 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Sherzan	Spear	Welsh
Woods			

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrreil
Van Maanen	Welden	Mr. Speaker	

Absent or not voting, 8:

Evans	Lageschulte	Lind	Loneragan
Rapp	Walter	Wells	West

Amendment H—3728 lost.

Byerly of Polk asked and received unanimous consent to withdraw amendment H—3778 (to page 13) filed by him on April 6, 1979.

Byerly of Polk offered the following amendment H—3788 filed by Byerly, et al., and moved its adoption:

H-3788

1 Amend Senate File 373, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 13, line 13, by inserting after the word
 4 "year." the following: "Notwithstanding any provision
 5 of section ninety-six point seven (96.7), subsection
 6 three (3) of the Code to the contrary, and beginning
 7 January 1, 1980, a contributing employer, whose current
 8 annual payroll increases over the employer's previous
 9 annual payroll, adjusted for any increase in current
 10 taxable wages because of an increase in the statewide
 11 average annual wage, due to taxable wages paid to
 12 an increased number of employees, shall not be required
 13 to pay contributions on the increased payroll due
 14 to an increased number of employees until the end
 15 of the calendar year in which the employer shall have
 16 had eight consecutive calendar quarters immediately
 17 preceding the computation date throughout which the
 18 employer's account has been chargeable with benefit
 19 payments to the increased number of employees,
 20 thereafter the employer's contribution rate shall
 21 be determined in accordance with the other provisions
 22 of section ninety-six point seven (96.7), subsection
 23 three (3) of the Code. Notwithstanding section ninety-
 24 six point eighteen (96.18) of the Code, the
 25 unemployment compensation trust fund shall be
 26 reimbursed out of the general fund of this state for
 27 the contributions which employers with increased
 28 payrolls due to an increased number of employees would
 29 have been required to pay but for this paragraph."

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H-3788 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Cusack
Davitt	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Husak	Jay	Jesse
Jochum	Kirkenslager	Krewson	Lloyd-Jones
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Sherzan	Spear
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Halvorson, R.A.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 9:

Connors	Hansen, I.	Hullinger	Lind
Pelton	Rapp	Stromer	Walter
West			

Amendment H—3788 lost.

Avenson of Fayette offered the following amendment H—3792 filed by Avenson, et al., and moved its adoption:

H—3792

- 1 Amend Senate File 373 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, by inserting after line 4 the
- 4 following:
- 5 "Sec. . Section ninety-six point seven (96.7),
- 6 subsection three (3), Code 1979, is amended by adding
- 7 the following new lettered paragraph:
- 8 NEW LETTERED PARAGRAPH. Notwithstanding any
- 9 provision of this chapter to the contrary, an
- 10 employer's rate of contribution shall not increase
- 11 by more than three percentage of excess ranks in the
- 12 appropriate table if the employer's account is charged
- 13 with benefit payments of less than forty times the
- 14 maximum weekly benefit amount."

Roll call was requested by Avenson of Fayette and Hinkhouse of Cedar.

On the question "Shall amendment H—3792 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Cusack
Davitt	Diéleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Miller	Norland	Oxley
Patchett	Pavich	Perkins	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corex	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Lura	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsem	Schneklath
Schroeder	Shimaneck	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Weiden	Mr. Speaker	

Absent or not voting, 8:

Connors	Hullinger	Lind	Maulsby
O'Kane	Rapp	Smalley	West

Amendment H—3792 lost.

Tyrrell of Iowa offered the following amendment H—3766 filed by Tyrrell, et al., and moved its adoption:

H—3766

- 1 Amend Senate File 373 as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 17, by inserting after line 25 the
- 4 following:
- 5 "Sec. . Section ninety-six point seven (96.7),
- 6 Code 1979, is amended by adding the following new

7 subsection:

8 **NEW SUBSECTION. RATE OF CONTRIBUTION BY EMPLOYEES.**

9 a. If the total, available unemployment compensa-
10 tion trust funds fall below twenty percent of the
11 total benefits paid in any preceding calendar year,
12 for a period longer than two weeks, each individual
13 employed by an employer subject to the payment of
14 contributions under this chapter shall contribute
15 to the fund, during the subsequent calendar year,
16 five-tenths of one percent of the individual's taxable
17 wages, as defined in section ninety-six point nineteen
18 (96.19), subsection twenty (20) of the Code, paid
19 to the individual during the subsequent calendar year.

20 b. If an individual is employed, in the same
21 calendar year, by more than one employer subject to
22 this chapter the individual shall be entitled to a
23 refund for contributions paid on wages which exceed
24 the maximum amount of taxable wages in section ninety-
25 six point nineteen (96.19), subsection twenty (20)
26 of the Code.

27 c. An individual employed by an employer who is
28 required or elects, in lieu of contributing to the
29 fund at a fixed rate, to reimburse the fund for benefit
30 payments made on the employer's behalf shall not be
31 required to pay contributions on the wages earned
32 from the employer.

33 d. Notwithstanding section ninety-six point seven
34 (96.7), subsection one (1), paragraph d of the Code,
35 if an individual is required to contribute to the
36 fund, the individual's employer shall withhold, in
37 trust, the contributions from the individual's wages,
38 shall show the contributions withheld as deductions
39 on the individual's wage records and the employer's
40 payroll records, and shall transmit the contribution
41 withheld to the fund.

42 e. The portion of an individual's wages which
43 the individual is required to contribute to the fund
44 shall be exempt from garnishment, attachment, execution
45 or any other remedy for the collection of debts."

Roll call was requested by Pope of Polk and Poffenberger of Dallas.

On the question "Shall amendment H—3766 be adopted?"

The ayes were, 8:

Anderson, J.
Johnson, J.

Branstad
Johnson, W.

Danker
Maulsby

Evans
Tyrrell

The nays were, 86:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, R.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	McKean	Menke
Miller	Mullins	Norland	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Walter	Welden	Wells	Welsh
Woods	Mr. Speaker		

Absent or not voting, 6:

Cochran	Connors	Lind	O'Kane
Rapp	West		

Amendment H—3766 lost.

Connolly of Dubuque offered the following amendment H—3786 filed by him and moved its adoption:

H—3786

- 1 Amend Senate File 373 as passed and reprinted
- 2 by the Senate to read as follows:
- 3 1. Page 20, by striking line 33, and inserting
- 4 in lieu thereof the words "business, upon appli-
- 5 cation by the appeal board, department,".
- 6 2. Page 21, by striking line 1, and inserting
- 7 in lieu thereof the words "such person to appear
- 8 before the appeal board, department,".

A non-record roll call was requested.

The ayes were 37, nays 49.

Amendment H—3786 lost.

Avenson of Fayette offered the following amendment H—3798 filed by him:

H—3798

1 Amend Senate File 373 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 21, by inserting after line 25 the
 4 following:
 5 "Sec. . Section ninety-six point fourteen
 6 (96.14), subsection five (5), Code 1979, is amended
 7 by adding the following new unnumbered paragraph:
 8 "NEW UNNUMBERED PARAGRAPH. For the purposes of
 9 this subsection "contributions or interest thereon
 10 which have been erroneously paid" shall include fifty
 11 percent of the temporary emergency tax paid by
 12 employers during calendar year 1976 pursuant to section
 13 ninety-six point seven (96.7), subsection fifteen
 14 (15) of the Code and fifty percent of the additional
 15 tax paid by employers during calendar year 1977
 16 pursuant to section ninety-six point seven (96.7),
 17 subsection sixteen (16) of the Code. An employer
 18 who has paid the temporary emergency tax or the
 19 additional tax shall be entitled to the fifty percent
 20 refund and may elect either to receive the refund
 21 or to have the refund credited to the employer's
 22 account."

The following amendment H—3902, to amendment H—3798, filed by Avenson of Fayette from the floor, was adopted by unanimous consent:

H—3902

1 Amend amendment H—3798, to page 21 of Senate
 2 File 373, as passed by the Senate and reprinted, as
 3 follows:
 4 1. Page 1, line 12, by inserting after the
 5 word "employers" the words "who have a percent of
 6 excess of seven point five (7.5) percent or greater".
 7 2. Page 1, line 15, by inserting after the
 8 word "employers" the words "who have a percent of
 9 excess of seven point five (7.5) percent or greater".
 10 3. Page 1, line 17, by inserting after the
 11 word "employer" the words "who had a percent of
 12 excess of seven point five (7.5) percent or greater
 13 and".

Avenson of Fayette moved the adoption of amendment H—3798, as amended.

A non-record roll call was requested.

The ayes were 35, nays 51.

Amendment H—3798, as amended, lost.

UNANIMOUS CONSENT TO CHANGE VOTE

Horn of Linn asked and received unanimous consent to change his vote from "aye" to "nay" on amendment H—3766 and the vote was so recorded.

Cochran of Webster offered the following amendment H—3797 filed by Cochran, et al.:

H—3797

1 Amend Senate File 373 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 23, by inserting after line 22 the
4 following:
5 "Sec. . Section ninety-six point nineteen
6 (96.19), subsection one (1), Code 1979, is amended
7 to read as follows:
8 1. "Annual payroll" The term "annual payroll"
9 as used in subsection 3 "d" of section 96.7 means
10 the total amount of taxable wages paid by an employer
11 for insured work during the period of four consecutive
12 calendar quarters ending on June 30 of each year,
13 and the term "average annual payroll" as used in said
14 subsection means the average of the "annual payrolls"
15 of an employer for the last three periods of four
16 consecutive calendar quarters immediately preceding
17 the computation date. Except that for an employer
18 who qualifies on any computation date for a computed
19 rate on the basis of less than twelve consecutive
20 calendar quarters of chargeability immediately
21 preceding the computation date, the term average
22 annual payroll shall be the average of the annual
23 payrolls for the last two periods of four consecutive
24 calendar quarters immediately preceding the computation
25 date. However, if an employer's current annual payroll
26 increases over the employer's previous annual payroll,
27 adjusted for any increase in current taxable wages

28 due to an increase in the statewide average annual
 29 wage, and the payroll increase is due to taxable wages
 30 paid to an increased number of employees, that increase
 31 shall only be included in the current annual payroll
 32 to the extent the increase does not exceed ten percent
 33 of the employer's most recent average annual payroll.
 34 The limitation of an increase in the current annual payroll
 35 shall only be calculated upon application by the
 36 employer to the department."

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

On the question "Shall amendment H—3797 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenlager	Lonerger	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 5:

Crabb	Lind	Lloyd-Jones	Rapp
West			

Amendment H—3797 lost.

Kirkenslager of Des Moines asked and received unanimous consent to withdraw amendment H—3646 (to page 24), filed by him on March 29, 1979.

Jesse of Polk offered the following amendment H—3795 filed by him and moved its adoption:

H—3795

1 Amend Senate File 373, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 24, by inserting after line 12 the
 4 following:
 5 "Sec. . Section ninety-six point nineteen
 6 (96.19), subsection twenty-one (21), Code 1979, is
 7 amended to read as follows:
 8 21. "Computation date". The computation date
 9 for contribution rates shall be July 1 October first
 10 of that calendar year preceding the calendar year
 11 with respect to which such rates are to be effective.
 12 If the total trust funds available for payment of
 13 unemployment compensation benefits through April 1,
 14 1978, is projected to fall below twenty million dol-
 15 lars, the director of the Iowa department of job
 16 service shall prepare and adopt such procedures for
 17 advance payment of a portion of the employer's
 18 unemployment contributions projected due for the first
 19 quarter of the calendar year beginning January 1,
 20 1978."

Roll call was requested by Jesse of Polk and Wells of Linn.

On the question "Shall amendment H—3795 be adopted?"

The ayes were, 43:

- | | | | |
|--------------|-----------|-----------------|--------------|
| Anderson, R. | Arnould | Avenson | Bina |
| Binneboese | Brandt | Bruner | Byerly |
| Chiodo | Cochran | Connolly | Connors |
| Cusack | Davitt | Doyle | Gettings |
| Groth | Hall | Halvorson, R.N. | Hinkhouse |
| Horn | Howell | Hullinger | Husak |
| Jay | Jesse | Jochum | Kirkenslager |
| Lloyd-Jones | Loneragan | Miller | Norland |
| O'Kane | Oxley | Patchett | Pavich |
| Perkins | Sherzan | Spear | Walter |
| Wells | Welsh | Woods | |

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Dieleman
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker		

Absent or not voting, 3:

Daggett	Lind	Rapp
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Amendment H—3795 lost.

Pope 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (S.F. 373)

The ayes were, 64:

Anderson, J.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Evans	Groth	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Weiden	West	Mr. Speaker

The nays were, 34:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Hall
Halvorson, R.N.	Horn	Howell	Jesse
Jochum	Kirkenslager	Lloyd-Jones	Norland
O'Mane	Oxley	Patchett	Pavich
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 2:

Lind	Rapp
------	------

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 TABLED
(Senate File 373)

Pope of Polk moved to reconsider the vote by which Senate File 373 passed the House on April 12 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 52; nays 43.

The motion prevailed.

UNANIMOUS CONSENT CALENDAR
(House Resolution 16)

We hereby respectfully request that House Resolution 16, filed on February 27, 1979 and found on page 687 and 688 of the House Journal, be placed on the unanimous consent calendar.

SWEARINGEN of Keokuk
VAN MAANEN of Mahaska
SHULL of Warren

(House Resolution 17)

We hereby respectfully request that House Resolution 17, filed

on February 27, 1979 and found on page 688 of the House Journal, be placed on the unanimous consent calendar.

SWEARINGEN of Keokuk
VAN MAANEN of Mahaska
SHULL of Warren

(House Resolution 18)

We hereby respectfully request that House Resolution 18, filed on February 27, 1979 and found on page 688 of the House Journal, be placed on the unanimous consent calendar

SWEARINGEN of Keokuk
VAN MAANEN of Mahaska
SHULL of Warren

(House Resolution 19)

We hereby respectfully request that House Resolution 19, filed on February 27, 1979 and found on page 689 of the House Journal, be placed on the unanimous consent calendar.

SWEARINGEN of Keokuk
VAN MAANEN of Mahaska
SHULL of Warren

COMMUNICATION FROM
IOWA COMMISSION ON INTERSTATE COOPERATION

A report was received from the Iowa Commission on Interstate Cooperation and is on file in the office of the Chief Clerk.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday morning, April 11. Had I been present, I would have voted "aye" on amendment H-3715 to Senate File 373.

JAY of Appanoose

I was necessarily absent from the House chamber on the afternoon of April 12. Had I been present, I would have voted "aye" on

amendments H-3791, H-3728, H-3788, H-3792, H-3786, H-3798, H-3797, H-3646, and H-3995 to Senate File 373. I would have voted "nay" on Senate File 373.

RAPP of Black Hawk

SUBCOMMITTEE ASSIGNMENT

Senate File 1

Ways and Means: Daggett, Chair; Evans and Davitt.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill a bill for an act making appropriations to various executive, legislative and judicial departments and agencies.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3886	S.F. 277	Spear of Lee
H-3887	H.F. 738	Danker of Pottawattamie
		Crabb of Crawford
		Pellett of Cass
H-3888	S.F. 442	Hummel of Benton
		Husak of Tama
		Howell of Floyd
		Johnson of Howard
		Wells of Linn
		Miller of Buchanan
		Schroeder of Pottawattamie
H-3889	S.F. 450	Egenes of Story
H-3890	S.F. 344	Howell of Floyd
H-3891	H.F. 738	Hoffmann of Muscatine
		Poffenberger of Dallas
		Pavich of Pottawattamie

H-3892	S.F. 93	Lura of Marshall
H-3893	S.F. 344	Howell of Floyd
H-3894	H.F. 738	Bina of Scott
H-3895	H.F. 738	O'Kane of Woodbury
H-3896	S.F. 93	Kirkenslager of Des Moines
H-3897	S.F. 230	Johnson of Howard
H-3898	S.F. 344	O'Kane of Woodbury
H-3899	H.F. 738	Hinkhouse of Cedar
H-3900	H.F. 736	Davitt of Warren
		Evans of Grundy
H-3901	H.F. 738	Pavich of Pottawattamie
H-3904	H.F. 738	Bennett of Ida
H-3905	H.F. 738	Schroeder of Pottawattamie
H-3906	H.F. 738	Hoffmann of Muscatine
H-3907	S.F. 149	Woods of Polk
H-3908	S.F. 462	Bruner of Story
H-3909	H.F. 81	Schnekloth of Scott
		Bennett of Ida
H-3910	S.F. 93	Thompson of Polk
		Horn of Linn
H-3911	H.F. 738	Jochum of Dubuque
H-3912	H.F. 738	Howell of Floyd
		Lloyd-Jones of Johnson
		Bruner of Story
H-3913	H.F. 738	Howell of Floyd
		Lloyd-Jones of Johnson
		Bruner of Story
H-3914	H.F. 738	Jesse of Polk
		Walter of Pottawattamie
		Cusack of Scott
		Lloyd-Jones of Johnson
		Davitt of Warren
		Cochran of Webster
		Anderson of Jasper
		Arnould of Scott
		Hinkhouse of Cedar
		Schroeder of Pottawattamie
H-3915	H.F. 738	Pope of Polk
		Clark of Cerro Gordo
		Doyle of Woodbury
		Hibbs of Johnson

H-3916	S.F. 93	Chiodo of Polk Kirkslager of Des Moines
H-3917	S.F. 264	Spear of Lee
H-3918	S.F. 264	Connolly of Dubuque Halvorson of Webster
H-3919	H.F. 734	Hanson of Delaware Avenson of Fayette Halvorson of Clayton
H-3920	S.F. 462	Daggett of Taylor
H-3921	S.F. 264	Spear of Lee
H-3922	S.F. 149	Pavich of Pottawattamie
H-3923	H.F. 738	Pavich of Pottawattamie
H-3924	S.F. 264	Spear of Lee
H-3925	S.F. 264	Spear of Lee
H-3926	S.F. 190	Evans of Grundy Davitt of Warren Chiodo of Polk Conlon of Muscatine
H-3927	S.F. 93	West of Marshall Byerly of Polk

Pursuant to Senate Concurrent Resolution 16, duly adopted, and on motion by Halvorson of Clayton the House adjourned at 4:25 p.m., until 10:00 a.m., Tuesday, April 17, 1979.

JOURNAL OF THE HOUSE

One-hundredth Calendar Day — Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 17, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Vic Engleman, pastor of the United Congregational Church, Sloan, Iowa.

The Journal of Thursday, April 12, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Bendixen, Denison, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Byerly of Polk on request of Woods of Polk; Johnson of Linn on request of Maulsby of Calhoun; Lorenzen of Scott, for the morning session, on request of Branstad of Winnebago; Hinkhouse of Cedar, for the morning session, on request of Binneboese of Plymouth; Lind of Black Hawk, for the week of April 17, on request of Halvorson of Clayton.

PRESENTATION OF VISITORS

Pellett of Cass presented to the House seven Chamber Deputies from the Italian Parliament led by the Honorable Frank Bortolani. They are members of their Agriculture Committee touring Iowa and the United States.

The Speaker announced that the following visitors were present in the House chamber:

One hundred sixteen ninth grade students from Southeast Junior High School, Iowa City, Iowa, accompanied by Wayne Hermeier. By Hibbs of Johnson and Lloyd-Jones of Johnson.

INTRODUCTION OF BILLS

House File 739, by committee on ways and means, a bill for an

act providing for the indexation of the state personal income tax by requiring the department of revenue to make annual percentage adjustments in the dollar amounts of the income tax rate brackets, low income exemption, civil service annuity exclusion optional standard deductions, personal and dependent exemption credits, and minimum filing requirements, to reflect changes in the consumer price index, and making the Act retroactive.

Read first time and placed on the ways and means calendar.

House File 740, by committee on ways and means, a bill for an act authorizing ambulance services by townships and an additional property tax levy.

Read first time and placed on the ways and means calendar.

House File 741, by committee on ways and means, a bill for an act to exempt from the real estate transfer tax certain deeds between family corporations or authorized farm corporations and their stockholders.

Read first time and placed on the ways and means 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 on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 97, a bill for an act providing for the licensing of occupational therapists and occupational therapy assistants and subjecting persons to penalties.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 430, a bill for an act to provide multipurpose service centers for displaced homemakers.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 435, a bill for an act relating to the establishment of historical preservation districts in cities.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 468, a bill for an act relating to the forfeiture of installment real estate contracts.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 469, a bill for an act relating to the licensing of grain dealers.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 473, a bill for an act to authorize the state conservation commission to set by rule the size limit for commercially caught catfish and other fish.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 487, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority.

FRANK J. STORK, Secretary

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott, for the remainder of the day, on request of Walter of Pottawatamie.

On motion by Halvorson of Clayton the House was recessed at 11:58 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty students from Fairfield Junior High School, Fairfield, Iowa, accompanied by Nadine Franklin. By Millen of Van Buren.

CONSIDERATION OF BILLS Regular Calendar

Senate File 190, a bill for an act relating to the perfection and enforcement of a mechanic's lien, with report of committee recommending amendment and passage was taken up for consideration.

Conlon of Muscatine offered amendment H-3340 filed by the committee on judiciary and law enforcement on March 8, 1979 and found on page 845 of the House Journal and moved its adoption.

Amendment H-3340 was adopted.

Evans of Grundy offered the following amendment H-3926 filed by Evans, et al., and moved its adoption:

H-3926

1 Amend Senate File 190 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section five hundred seventy-two point
6 two (572.2), Code 1979, is amended to read as follows:
7 572.2 PERSONS ENTITLED TO LIEN.
8 1. Every person who shall furnish any material
9 or labor for, or perform any labor upon, any building
10 or land for improvement, alteration, or repair thereof,
11 including those engaged in the construction or repair
12 of any work of internal or external improvement, and
13 those engaged in grading, sodding, installing nursery
14 stock, landscaping, sidewalk building, fencing on
15 any land or lot, by virtue of any contract with the
16 owner, his agent, trustee, contractor, or subcontractor
17 shall have a lien upon such building or improvement,
18 and land belonging to the owner on which the same
19 is situated or upon the land or lot so graded,
20 landscaped, fenced, or otherwise improved, altered,
21 or repaired, to secure payment for material or labor
22 furnished or labor performed; provided, however, that
23 if the material or labor is furnished or performed
24 by a person by virtue of a contract with a contractor
25 or subcontractor, a lien for the person shall be
26 treated as a subcontractor's lien filed after sixty

27 days pursuant to sections five hundred seventy-two
 28 point ten (572.10) and five hundred seventy-two point
 29 eleven (572.11) of the Code, unless prior to extending
 30 credit to the contractor or subcontractor the person
 31 has obtained from the owner, agent or trustee who
 32 initiated the building alteration or improvement
 33 express authority to extend credit as provided in
 34 subsection two (2) of this section.

35 2. A person who is required by subsection one
 36 (1) of this section to have express written authority
 37 to extend credit before a lien exists for the person's
 38 benefit obtains the required written authority in
 39 either of the following ways:

40 a. A writing signed by the owner, agent or trustee
 41 which is addressed to the person and which expressly
 42 authorizes the person to extend credit, and which
 43 states the names and addresses of the persons to whom
 44 credit may be extended under the authority contained
 45 in the writing. The writing must contain the following
 46 statement in conspicuous print: "It is understood
 47 and agreed that debt arising out of the credit which
 48 may be extended pursuant to this written authority
 49 is the legal responsibility of the owner of the
 50 property upon which the work is done, and is secured

Page 2

1 by a mechanic's lien as provided in chapter five
 2 hundred seventy-two (572) of the Code of Iowa."

3 b. The person has been engaged as a subcontractor
 4 by virtue of a written contract between the owner,
 5 agent or trustee and the contractor which authorizes
 6 the building, alteration or improvement, and which
 7 expressly authorizes all subcontractors to furnish
 8 labor and materials on credit, and which contains
 9 the following statement in conspicuous print: "It
 10 is understood and agreed that debt arising out of
 11 the credit which may be extended by subcontractors
 12 under this contract is the legal responsibility of
 13 the owner of the property upon which the work is done,
 14 and is secured by mechanics' liens as provided in
 15 chapter five hundred seventy-two (572) of the Code
 16 of Iowa."

17 2. Page 1, line 1, by striking the word and figure
 18 "Section 1" and inserting in lieu thereof the word
 19 and figure "Sec. 2".

20 3. Page 1, by inserting after line 22 the
 21 following:

22 "Sec. 2. Section one (1) of this Act applies only
 23 to liens arising from those works or improvements
 24 which are commenced on or after January first next

25 following the enactment of this Act. Section two
 26 (2) of this Act applies to any statement filed under
 27 section five hundred seventy-two point eight (572.8)
 28 of the Code on or after the effective date of this
 29 Act."

Amendment H—3926 was adopted.

Conlon 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. 190)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenlager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sharzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Bina	Byerly	Johnson, R.	Lind
Patchett			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 160, a bill for an act relating to the collection of delinquent taxes on buildings located on leased land, with report of committee recommending passage was taken up for consideration.

Schneklath 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. 160)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Weldan	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Bina	Byerly	Horn	Johnson, R.
Lind	Lura	Patchett	Poffenberger

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council, with report of committee

recommending amendment and passage was taken up for consideration.

Hoffmann of Muscatine offered amendment H—3664 filed by the committee on state government on April 2, 1979 and found on page 1272 of the House Journal and moved its adoption.

Amendment H—3664 was adopted.

Pavich of Pottawattamie asked and received unanimous consent to withdraw amendment H—3922 filed by him on April 12, 1979.

Woods of Polk offered the following amendment H—3907 filed by him and moved its adoption:

H—3907

- 1 Amend Senate File 149 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 19, by inserting after the word
- 4 "council." the words "The two legislative members
- 5 shall not be members of the same party."

A non-record roll call was requested.

The ayes were 40, nays 55.

Amendment H—3907 lost.

Hoffmann 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (S.F. 149)

The ayes were, 54:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	De Groot
Diemer	Egenes	Evans	Gettings
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Jesse

Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lorenzen	Lura
McKean	Menke	Mullins	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Walter
West	Mr. Speaker		

The nays were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Bruner	Chiodo	Cochran	Connolly
Connors	Danker	Davitt	Dieleman
Doyle	Groth	Hall	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Lloyd-Jones	Loneragan	Maulsby	Miller
Norland	O'Kane	Oxley	Patchett
Rapp	Sherzan	Smalley	Spear
Van Maanen	Welden	Wells	Welsh
Woods			

Absent or not voting, 5:

Bina	Byerly	Cusack	Johnson, R.
Lind			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 280, a bill for an act to provide a uniform definition of a farm-to-market road system, with report of committee recommending passage was taken up for consideration.

Binneboese of Plymouth 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. 280)

The ayes were, 91:

Anderson, J.	Anderson, B.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Davitt	De Groot	Dieleman	Diemer

Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Maulsby

Absent or not voting, 8:

Bina	Byerly	Cusack	Danker
Howell	Johnson, R.	Krewson	Lind

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 344, a bill for an act relating to access to and use of solar energy, with report of committee recommending amendment and passage was taken up for consideration.

Evans of Grundy offered amendment H—3773 filed by the committee on energy on April 9, 1979 and found on pages 1465 through 1473 of the House Journal.

Hanson of Delaware asked and received unanimous consent to temporarily defer action on amendment H—3890, to the committee amendment H—3773.

Howell of Floyd offered the following amendment H—3890, to the committee amendment H—3773, filed by him and moved its adoption:

H-3890

- 1 Amend the Energy Committee amendment H-3773 to
- 2 Senate File 344 as passed by the Senate as follows:
- 3 1. Page 3, line 7, by striking the word "Act." and
- 4 inserting in lieu thereof the word "Act:".
- 5 2. Page 3, by striking lines 8 through 10 and
- 6 inserting in lieu thereof the following:
- 7 "a. Beneficial use is the basis, the".
- 8 3. Page 3, by striking lines 18 through 20 and
- 9 inserting in lieu thereof the following:
- 10 "b. In disputes involving solar rights priority".

Roll call was requested by Howell of Floyd and Bruner of Story.

Rule 80 was invoked.

On the question "Shall amendment H-3890 be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Chiodo	Cochran
Connolly	Connors	Crawford	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Schroeder
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Bina
Lind

Byerly

Cusack

Johnson, R.

Amendment H—3890 lost.

Hanson of Delaware offered amendment H—3872, to the committee amendment H—3773, filed by him and Jochum of Dubuque and requested division as follows:

H—3872

- 1 Amend the House Committee amendment H—3773 to
- 2 Senate File 344 as passed by the Senate as follows:

H—3872A

- 3 1. Page 2, line 1, by inserting after the word
- 4 "system." the words "For the purposes of this Act;
- 5 a greenhouse shall be considered a solar collector."
- 6 2. Page 3, line 10, by inserting after the
- 7 word "housing," the words "or for greenhouses,".
- 8 3. Page 3, line 18, by inserting after the
- 9 word "rights" the words "of greenhouses, or".

H—3872B

- 10 4. Page 6, line 33, by striking the word
- 11 "shall" and inserting in lieu thereof the word
- 12 "may".

On motion by Hanson of Delaware, amendment H—3872A was adopted.

On motion by Hanson of Delaware, amendment H—3872B was adopted.

Evans of Grundy offered the following amendment H—3934, to the committee amendment H—3773, filed by him from the floor and moved its adoption:

H—3934

- 1 Amend the Committee on Energy amendment H—3773
- 2 to Senate File 344 as passed by the Senate as follows:
- 3 1. Page 3, line 8, by inserting after the word
- 4 "zoned" the word "exclusively".

- 5 2. Page 3, line 9, by inserting after the word
 6 "zoned" the word "exclusively".
 7 3. Page 3, line 19, by inserting after the word
 8 "zoned" the word "exclusively".
 9 4. Page 3, line 20, by inserting after the word
 10 "zoned" the word "exclusively".

Amendment H—3934 was adopted.

Doyle of Woodbury offered the following amendment H—3878, to the committee amendment H—3773, filed by him and moved its adoption:

H—3878

- 1 Amend the Committee on Energy amendment, H—3773,
 2 to Senate File 344 as passed by the Senate as follows:
 3 1. Page 5, line 10, by inserting after the period
 4 the following: "An abstractor shall note the record-
 5 ing of the declaration of solar access rights on any
 6 abstract of title prepared for a servient or dominant
 7 estate."
 8 2. Page 5, by striking line 14 and inserting in
 9 lieu thereof the words "the servient estate owners
 10 of record and the solar access regulatory board or
 11 other person designated by the board of supervisors
 12 or city council. The notice shall".
 13 3. Page 7, line 14, by inserting after the period
 14 the following: "An abstractor shall note the record-
 15 ing of the revocation of the declaration of solar
 16 access rights on any abstract of title prepared for
 17 a servient or dominant estate."

Amendment H—3878 was adopted.

Howell of Floyd offered the following amendment H—3893, to the committee amendment H—3773, filed by him and moved its adoption:

H—3893

- 1 Amend the committee amendment, H—3773, to
 2 Senate File 344 as follows:
 3 1. Page 5, line 27, by striking the word
 4 "already" and inserting in lieu thereof the
 5 words and figure "at least six (6) months prior
 6 to the date of recording".
 7 2. Page 6, line 35, by inserting after the
 8 word "that" the words and figure "at least
 9 six (6) months".

Amendment H—3893 was adopted.

O'Kane of Woodbury offered the following amendment H—3898, to the committee amendment H—3773, filed by him and moved its adoption:

H—3898

- 1 Amend the committee amendment, H—3773, to
- 2 Senate File 344 as follows:
- 3 1. Page 5, line 31, by striking the words
- 4 "twenty-five" and inserting in lieu thereof the
- 5 word "fifteen".

Amendment H—3898 was adopted.

Spear of Lee offered the following amendment H—3943, to the committee amendment H—3773, filed by him and Miller of Buchanan from the floor and moved its adoption:

H—3943

- 1 Amend amendment H—3773, to Senate File 344, as
- 2 passed by the Senate and reprinted, as follows:
- 3 1. Page 1, by inserting after line 36 the
- 4 following section:
- 5 "Sec. . It is the intent of the general
- 6 assembly that sections one (1) and two (2) of this
- 7 Act shall not appear in the Code of Iowa."

Amendment H—3943 was adopted.

Evans of Grundy moved the adoption of the committee amendment H—3773, as amended.

The committee amendment H—3773, as amended, was adopted.

Evans of Grundy offered the following amendment H—3869 filed by him and moved its adoption:

H—3869

- 1 Amend Senate File 344 as passed by the Senate as
- 2 follows:
- 3 1. Page 5, by inserting following line 16 the
- 4 following new section:

5 "Sec. . NEW SECTION. ASSISTANCE TO PUBLIC.
 6 The energy policy council is authorized and encouraged
 7 to make available information and guidelines to assist
 8 the public to understand and use the provisions of
 9 this Act. The information and guidelines should in-
 10 clude model easements, model restrictive covenants,
 11 and instructions and aids for preparing and recording
 12 declarations of solar access rights."

Amendment H—3869 was adopted.

Hanson of Delaware offered the following amendment H—3870
 filed by him and Jochum of Dubuque and moved its adoption:

H—3870

1 Amend Senate File 344 as passed by the Senate
 2 as follows:
 3 1. Page 5, by striking lines 17 and 18 and
 4 inserting in lieu thereof the following:
 5 "Sec. 13. This Act, being deemed of immediate
 6 importance, shall take effect from and after its
 7 publication in The Grundy Register, a newspaper
 8 published in Grundy Center, Iowa, and in the
 9 Clayton County Press-Journal, a newspaper
 10 published in Strawberry Point, Iowa."

Amendment H—3870 was adopted.

Evans 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.

On the question "Shall the bill pass?" (S.F. 344)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.

Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimaneck	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Mr. Speaker	

The nays were, 2:

Gettings Woods

Absent or not voting, 7:

Bina	Byerly	Harbor	Johnson, R.
Lind	Stromer	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 338 WITHDRAWN

Pavich of Pottawattamie asked and received unanimous consent to withdraw House File 338 from further consideration by the House.

Senate File 462, a bill for an act relating to juvenile justice provisions of the Code, with report of committee recommending passage was taken up for consideration.

Hansen of O'Brien offered the following amendment H-3832 filed by him and Pelton of Clinton and moved its adoption:

H-3832

- 1 Amend Senate File 462 as follows:
- 2 1. Page 3, by striking lines 8 through 19.
- 3 2. Page 3, by striking lines 25 through 33.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 48, nays 47.

Amendment H—3832 was adopted.

Daggett of Taylor offered the following amendment H—3920 filed by him and moved its adoption:

H—3920

- 1 Amend Senate File 462 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking line 5 and inserting
- 4 in lieu thereof the following:
- 5 "beginning July 1, ~~1974, 1975, and 1976 and 1977~~
- 6 shall be".

A non-record roll call was requested.

The ayes were 33, nays 53.

Amendment H—3920 lost.

Bruner of Story offered the following amendment H—3774 filed by Bruner, et al., and moved its adoption:

H—3774

- 1 Amend Senate File 462 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by inserting after line 8 the following
- 4 new section:
- 5 "Sec. . Section two hundred thirty-two point
- 6 one hundred forty-one (232.141), subsection four (4),
- 7 paragraph d, Code 1979, is amended to read as follows:
- 8 d. Costs incurred under provisions of this section
- 9 which are not paid by the county under the provisions
- 10 of paragraphs "a," "b" and "c" shall be paid by the
- 11 state. The counties shall apply for reimbursement
- 12 to the department, which shall promulgate rules and
- 13 forms to carry out the provisions of this paragraph."
- 14 2. By changing section numbers as made necessary
- 15 by this amendment.

A non-record roll call was requested.

The ayes were 72, nays 9.

Amendment H—3774 was adopted.

Bruner of Story asked and received unanimous consent to withdraw amendment H — 3908 (to page 10) filed by him on April 12, 1979.

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?" (S.F. 462)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Tofte	Tyrrell	Van Maanen
Walter	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Bina	Byerly	Johnson, R.	Lind
Thompson	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**OBJECTION TO WITHDRAWAL
(House File 663)**

Clark of Cerro Gordo asked for unanimous consent to withdraw House File 663 from further consideration by the House.

Objection was raised.

SENATE FILE 400 SUBSTITUTED FOR HOUSE FILE 661

Patchett of Johnson asked and received unanimous consent to substitute Senate File 400 for House File 661.

Senate File 400, a bill for an act providing for limited guardianships under the state probate code, was taken up for consideration.

Rapp of Black Hawk offered the following amendment H—3540 filed by him:

H—3540

- 1 Amend Senate File 400, as passed by the Senate,
2 as follows:
3 1. Page 1, by inserting after line 16 the
4 following:
5 "Sec. . Section six hundred thirty-three point
6 five hundred sixty-six (633.566), Code 1979, is amended
7 by adding the following new subsections:
8 NEW SUBSECTION. The nature of the proposed ward's
9 alleged incompetency.
10 NEW SUBSECTION. The names and addresses, so far
11 as is known or can be reasonably ascertained, of the
12 persons most closely related to the proposed ward.
13 NEW SUBSECTION. The requested term of the limited
14 guardianship to be included in the court's order of
15 appointment.
16 Sec. . Section six hundred thirty-three point
17 five hundred sixty-six (633.566), subsections two
18 (2) and four (4), Code 1979, are amended to read as
19 follows:
20 2. That the proposed ward is a minor or is
21 incapable of managing his property The nature and
22 degree of the alleged disability, the specific areas
23 of protection and assistance requested, and the
24 limitation of rights requested to be included in the
25 court's order of appointment.
26 4. The estimated present value and description

27 of the real estate, the estimated value and description
 28 of the personal property, and the estimated gross
 29 annual income of the estate including any compensation,
 30 pension, insurance, or allowance to which the proposed
 31 ward may be entitled. If any money is payable, or
 32 to become payable, to the proposed ward by the United
 33 States through the veterans administration, the
 34 petition shall so state.

35 Sec. . . Section six hundred thirty-three point
 36 five hundred sixty-eight (633.568), Code 1979, is
 37 amended to read as follows:

38 **633.568 NOTICE GOVERNED BY RULES OF CIVIL**
 39 **PROCEDURE.** In all other cases, notice the proposed
 40 ward and his or her parents, if the parents can be
 41 found within this state, or the conservator or any
 42 person having control of the care and welfare of the
 43 proposed ward, shall be personally served the petition
 44 for the appointment of a conservator. Notwithstanding
 45 the foregoing, all persons then living who stand in
 46 the first degree of consanguinity or affinity to an
 47 alleged mentally retarded person shall be given notice
 48 if their whereabouts are known or can be reasonably
 49 ascertained. Notice of the filing of such petition
 50 shall be served upon the proposed ward in the manner

Page 2

1 of an original notice and the Rules of Civil Procedure
 2 governing original notice shall also govern such
 3 notice as to content.

4 Sec. . . Section six hundred thirty-three point
 5 five hundred sixty-nine (633.569), Code 1979, is
 6 amended by adding the following new unnumbered
 7 paragraph:

8 **NEW UNNUMBERED PARAGRAPH.** The proposed ward shall
 9 be present at the hearing, unless the court determines
 10 that such personal appearance would not be in the
 11 person's best interest. The proposed ward is entitled
 12 to be represented by counsel. If the proposed ward
 13 is unable to pay for counsel, the county is responsible
 14 for costs of counsel. The proposed ward is entitled
 15 to a jury trial on request. The hearing may be closed
 16 if the proposed ward or his or her counsel requests
 17 a closed hearing. At the hearing, the court shall
 18 do all of the following:

- 19 1. Inquire into the nature and extent of the
- 20 general intellectual functioning of the individual
- 21 asserted to need a conservator.
- 22 2. Evaluate the extent of the impairment in the
- 23 proposed ward's behavior.
- 24 3. Ascertain the proposed ward's capacity to care

25 for himself or herself and manage his or her property.
 26 4. Inquire into the qualifications, abilities,
 27 and capabilities of the person seeking to be appointed
 28 conservator.

29 Sec. . Section six hundred thirty-three point
 30 five hundred seventy (633.570), Code 1979, is amended
 31 to read as follows:

32 633.570. APPOINTMENT OF CONSERVATOR. If the
 33 allegations of the petition as to the status of the
 34 proposed ward and the necessity for the appointment
 35 of a conservator are proved, the court may appoint
 36 a conservator. An order appointing a conservator
 37 shall contain findings of fact and shall also specify:

38 1. The properties of the ward to which the
 39 conservator is entitled to possession and management,
 40 giving the description of the properties that will
 41 be sufficient to identify them.

42 2. The debts, rentals, wages, or other claims
 43 due the ward which the conservator is entitled to
 44 collect, or file suit with respect to, if necessary,
 45 and thereafter to possess and manage.

46 3. The contractual or other obligations which
 47 the conservator may incur on behalf of the ward.

48 4. The claims against the ward which the
 49 conservator may pay, compromise, or defend, if
 50 necessary.

Page 3

1 5. Any other powers, limitations; or duties with
 2 respect to the care of the ward or the management
 3 of the ward's property by the conservator which the
 4 court shall specifically and explicitly specify."

5 2. Page 2, by inserting after line 2 the following:

6 "Sec. . Section six hundred thirty-three point
 7 six hundred seventy-nine (633.679), Code 1979, is
 8 amended to read as follows:

9 633.679 PETITION TO TERMINATE. At any time, not
 10 less than six months after the appointment of a
 11 guardian or conservator, the person under guardianship
 12 or conservatorship or any person interested in the
 13 welfare of the person under guardianship or
 14 conservatorship, may apply to the court by petition,
 15 alleging that he the person is no longer a proper
 16 subject thereof, and asking that the guardianship
 17 or conservatorship be terminated. On the petition
 18 of the guardian or the conservator, the court may
 19 accept his or her resignation."

20 3. By renumbering to conform to this amendment.

The following amendment H-3940, to amendment H-3540, filed by Rapp of Black Hawk from the floor was adopted by unanimous consent:

H-3940

- 1 Amend amendment H-3540 to Senate File 400 as
- 2 follows:
- 3 1. Page 1, line 14, by striking the word
- 4 "guardianship" and inserting in lieu thereof the
- 5 word "conservatorship".

Rapp of Black Hawk moved the adoption of amendment H-3540, as amended.

A non-record roll call was requested.

The ayes were 24, nays 60.

Amendment H-3540, as amended, lost.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 2 to continue debate on Senate File 400 beyond the 6:00 p.m. time limit.

Patchett of Johnson 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. 400)

The ayes were, 89:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lloyd-Jones

Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Walter	Wells	Welsh	West
Mr. Speaker			

The nays were, 1:

Tyrrell

Absent or not voting, 10:

Bina	Byerly	Evans	Holt
Husak	Johnson, R.	Krewson	Lind
Welden	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER (Senate File 149)

I move to reconsider the vote by which Senate File 149 passed the House on April 17, 1979.

CRAWFORD of Story

(Senate File 280)

I move to reconsider the vote by which Senate File 280 passed the House on April 17, 1979.

ANDERSON of Audubon

(Senate File 462)

I move to reconsider the vote by which Senate File 462 passed the House on April 17, 1979.

DAGGETT of Taylor

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 11, an act to provide a procedure for dissolution of certain drainage and levee districts and transfer of jurisdiction and control over the improvements of rights-of-way of a district so dissolved to another overlying district without reclassification of the latter district.

House File 64, an act providing that rules and forms submitted by the Supreme Court to the General Assembly shall take effect the July first following their submission.

House File 95, an act to clarify the notice of adoption hearing provision in the Code.

House File 657, an act making a supplemental appropriation to the Department of Social Services for aid to dependent children.

Senate File 339, an act relating to investigation of arson and providing immunity and penalties.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 17th day of April, 1979: House Files 22, 257, 395, 420, 451, 455 and 645.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

COMMUNICATION FROM SECRETARY OF STATE

April 16, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that the foregoing Act, Senate File 158, was published in The

Waterloo Courier, Waterloo, Iowa on April 6, 1979 and in the Quad-City Times, Davenport, Iowa on April 12, 1979.

Respectfully submitted
MELVIN D. SYNHORST
Secretary of State

SPONSOR WITHDRAWN
(Amendments H—3850 and H—3862 to Senate File 478)

Ritsema of Sioux respectfully requests to be withdrawn as a sponsor on amendments H—3850 and H—3862 to Senate File 478.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday afternoon, April 17. Had I been present, I would have voted "aye" on Senate File 160.

POFFENBERGER of Dallas

PRESENTATION OF VISITORS

McKean of Jones presented to the House the Honorable Scott D. Newhard, former member of the House, representing Jones, Cedar, Clinton and Jackson Counties.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-one students from the Intensive English and Orientation Program, Iowa State University, Ames, Iowa, representing fifteen countries. By Crawford of Story.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 236 Ways and Means

To legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

• DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 192), a bill for an act authorizing ambulance services by townships and an additional property tax levy.

Recommended **Do Pass**.

Committee Bill (Formerly House File 293), a bill for an act to exempt from the real estate transfer tax certain deeds between family corporations or authorized farm corporations and their stockholders.

Recommended **Amend and Do Pass**.

AMENDMENTS FILED

H-3928	S.F. 264	Spear of Lee
H-3929	H.F. 734	Harbor of Mills
H-3930	H.F. 738	Wells of Linn
H-3931	S.F. 264	Hall of Linn
H-3932	H.F. 736	Evans of Grundy
H-3933	H.F. 738	Davitt of Warren
		Lloyd-Jones of Johnson
H-3935	H.F. 732	Spear of Lee
H-3936	H.F. 738	Schroeder of Pottawattamie
		Pope of Polk
		Clark of Cerro Gordo
H-3937	S.F. 203	Schroeder of Pottawattamie
H-3938	S.F. 93	Lorenzen of Scott
H-3939	S.F. 199	Chiodo of Polk
		Sherzan of Polk
		Thompson of Polk
		Connors of Polk
		Anderson of Jasper
		Arnould of Scott
		Conlon of Muscatine
		Woods of Polk
		Smalley of Polk
		Krewson of Polk
		Jesse of Polk
		Cusack of Scott
		Jochum of Dubuque
		Pope of Polk

H-3941	S.F. 388	Woods of Polk Chiodo of Polk
H-3942	S.F. 388	Woods of Polk
H-3944	S.F. 93	Schroeder of Pottawattamie
H-3945	S.F. 382	Pelton of Clinton
H-3946	H.F. 676	Chiodo of Polk Sherzan of Polk Thompson of Polk Connors of Polk Anderson of Jasper Arnould of Scott Conlon of Muscatine
		Woods of Polk Smalley of Polk Krewson of Polk Jesse of Polk Cusack of Scott Jochum of Dubuque Pope of Polk
H-3947	S.F. 450	Kirkenslager of Des Moines
H-3948	H.F. 676	Chiodo of Polk Sherzan of Polk Thompson of Polk Connors of Polk Anderson of Jasper Arnould of Scott Conlon of Muscatine
		Woods of Polk Smalley of Polk Krewson of Polk Jesse of Polk Cusack of Scott Jochum of Dubuque Pope of Polk
H-3949	S.F. 93	Schroeder of Pottawattamie
H-3950	S.F. 93	Kirkenslager of Des Moines
H-3951	S.F. 299	Cochran of Webster Norland of Worth
H-3952	S.F. 93	Thompson of Polk Chiodo of Polk Connors of Polk
H-3953	S.F. 462	Miller of Buchanan
H-3954	H.F. 679	Clark of Cerro Gordo Crawford of Story

On motion by Halvorson of Clayton the House adjourned at 6:02 p.m., until 9:00 a.m., Wednesday, April 18, 1979.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day—Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 18, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Claude W. Smith, Jr. pastor of the United Church of Christ, Minden, Iowa.

The Journal of Tuesday, April 17, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. L. Zoutendam, Sheldon, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holt of Clay for the morning session on request of Hansen of O'Brien; Byerly of Polk on request of Woods of Polk.

PRESENTATION OF VISITORS

Van Maanen of Mahaska presented to the House the Honorable Fred Koogler, former member of the House, representing Keokuk, Lucas, Mahaska, Marion, Monroe and Poweshiek Counties.

Schnekloth of Scott presented to the House Minna Saari, Foreign Exchange Student from Finland, presently attending Central High School in Davenport, Iowa; Brychan Woodhouse, English Instructor from Kingswinford, England and Adrian Holmes, student of Rowley Regis College in Rowley Regis, England. They are the guests of Mr. and Mrs. Larry Minard of Davenport, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Fifty ninth grade students from Iowa City High School, Iowa City, Iowa, accompanied by Dick Bristol. By Hibbs of Johnson and Lloyd-Jones of Johnson.

Twenty-three twelfth grade students from Van Meter Junior-Senior High School, Van Meter, Iowa, accompanied by Rod Beem and Bruce Sittner. By Poffenberger of Dallas.

Twenty sixth grade students from Gilmore City Elementary School, Gilmore City, Iowa, accompanied by Darlene Hudek. By Maulsby of Calhoun and Cochran of Webster.

Twenty-five twelfth grade students from East Monona Junior-Senior High School, Moorhead, Iowa, accompanied by Larry Phipps. By Crabb of Crawford.

Fifty students from Adair-Casey Junior-Senior High School, Adair, Iowa, accompanied by Tom Queck. By Anderson of Audubon.

Thirty-five twelfth grade students from Tiffin High School, Tiffin, Iowa, accompanied by Mrs. Allman. By Patchett of Johnson.

Three students from Alternative School, Mason City, Iowa, accompanied by Linda Schaefer. By Clark of Cerro Gordo.

Forty students from Luverne Elementary School, Luverne, Iowa. By Mullins of Kossuth.

SENATE MESSAGES CONSIDERED

Senate File 97, a bill for an act providing for the licensing of occupational therapists and occupational therapy assistants and subjecting persons to penalties.

Read first time and referred to committee on **state government**.

Senate File 430, a bill for an act to provide multipurpose service centers for displaced homemakers.

Read first time and referred to committee on **human resources**.

Senate File 435, a bill for an act relating to the establishment of historical preservation districts in cities.

Read first time and **passed on file**.

Senate File 468, a bill for an act relating to the forfeiture of installment real estate contracts.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 469, a bill for an act relating to the licensing of grain dealers.

Read first time and referred to committee on **commerce**.

Senate File 473, a bill for an act to authorize the state conservation commission to set by rule the size limit for commercially caught catfish and other fish.

Read first time and referred to committee on **natural resources**.

Senate File 487, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons.

Read first time and referred to committee on **appropriations**.

ADOPTION OF HOUSE RESOLUTION 33

Pursuant to House Rule 31, the Speaker announced that House Resolution 33, congratulating the city of Walcott on their one hundred twenty-fifth anniversary, filed on April 6, 1979 and found on page 1418 of the House Journal, was adopted by unanimous consent.

IMMEDIATE MESSAGE

(Senate File 190)

Conlon of Muscatine asked and received unanimous consent to immediately message Senate File 190 to the Senate.

HOUSE FILE 661 WITHDRAWN

Shimanek of Jones asked and received unanimous consent to withdraw House File 661 from further consideration by the House.

REFERRED TO COMMITTEE ON WAYS AND MEANS
(Senate File 321)

The Speaker announced that **Senate File 321**, presently on the **regular calendar**, was referred to the committee on **ways and means**.

TEMPORARILY DEFERRED
(Senate Files 478 and 93)

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on Senate Files 478 and 93.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers by prohibiting a manufacturer from requiring a distributor to pay to a manufacturer a refund value or deposit on a nonrefillable beverage container; prohibiting the importation of certain quantities of beverage containers not having a refund value indication as required by chapter four hundred fifty-five C (455C) of the Code; prescribing penalties for violations of departmental rules, the multiple redemption of nonrefillable beverage containers by a distributor, and certain acts and practices defined as fraudulent; authorizing distributors to cooperate and coordinate their business operations to carry out the purposes of chapter four hundred fifty-five C (455C) of the Code; and by authorizing a phaseout for containers not having a refund value indication for the period from July 1, 1979 through July 31, 1979, with report of committee recommending amendment and passage was taken up for consideration.

Krewson of Polk offered amendment H-3812 filed by the committee on energy on April 9, 1979 and found on page 1473 of the House Journal and moved its adoption.

The committee amendment H-3812 was adopted, placing the following amendments out of order:

H-3593 filed by Daggett of Taylor and Van Maanen of Mahaska on March 27, 1979.

H-3631 filed by Brandt of Black Hawk on March 28, 1979.

H—3941 filed by Woods of Polk and Chiodo of Polk on April 17, 1979.

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H—3624 until consideration of amendment H—3942.

Woods of Polk offered the following amendment H—3942 filed by him and moved its adoption:

H—3942

- 1 Amend Senate File 388, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 18 through page 2,
- 4 line 13.
- 5 2. By renumbering sections to conform to this
- 6 amendment.

A non-record roll call was requested.

The ayes were 23, nays 65.

Amendment H—3942 lost.

Welden of Hardin offered the following amendment H—3624 filed by him:

H—3624

- 1 Amend Senate File 388, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "Sec. . Section four hundred fifty-five C point
- 6 four (455C.4), subsection one (1), Code 1979, is
- 7 amended to read as follows:
- 8 1. Except as provided in section 455C.5, ~~subsection~~
- 9 ~~2 subsections three (3) and four (4)~~, a dealer, a
- 10 person operating a redemption center, a distributor
- 11 or a manufacturer may refuse to accept any empty
- 12 beverage container which does not have stated on it
- 13 a refund value as provided under section 455C.2."
- 14 2. Page 2, by inserting after line 13 the
- 15 following:
- 16 "4. The provisions of subsection one,(1) of this
- 17 section do not apply to beverage containers containing
- 18 alcoholic liquor which are sold in this state."
- 19 3. By renumbering sections to conform to this
- 20 amendment.

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H—3624.

Johnson of Linn asked and received unanimous consent to withdraw amendment H—3657 filed by him on March 29, 1979 and amendment H—3752 (to amendment H—3657) filed by him on April 5, 1979.

The House resumed consideration of amendment H—3624.

Welden of Hardin moved the adoption of amendment H—3624.

A non-record roll call was requested.

The ayes were 66, nays 16.

Amendment H—3624 was adopted.

Woods 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. 388)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hummel	Husak	Jay	Jesse
Jochum	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Thompson	Tyrrell	Van Maanen

Walter
West

Welden
Mr. Speaker

Wells

Welsh

The nays were, 10:

Chiodo
Johnson, R.
Tofte

Harbor
Johnson, W.
Woods

Hullinger
Maulsby

Johnson, J.
Swearingen

Absent or not voting, 4:

Byerly

Davitt

Holt

Lind

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 388)

Krewson of Polk asked and received unanimous consent to immediately message Senate File 388 to the Senate.

Senate File 479, a bill for an act to legalize and validate the proceedings of the board of directors of southwestern community college merged area (merged area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under chapter two hundred eighty A (280A) of the Code, reported without recommendation by the committee, was taken up for consideration.

Pelton of Clinton offered the following amendment H-3761 filed by him:

H-3761

- 1 Amend Senate File 479 as follows:
- 2 1. Page 1, by adding after line 28 the
- 3 following new section:
- 4 "Sec. 2. That the general assembly, in
- 5 legalizing the improper proceedings of the
- 6 southwestern area community college (merged area
- 7 XIV), does not condone or approve the malfeasance
- 8 committed by the superintendent, the board of
- 9 directors, and other members of the administration."

Perkins of Greene offered the following amendment H-3956, to amendment H-3761, filed by him from the floor:

H-3956

- 1 Amend amendment H-3761 to Senate File 479 as
- 2 follows:
- 3 1. Page 1, line 7, by inserting before the
- 4 word "malfeasance" the word "alleged".

Welsh of Dubuque moved to defer action on Senate File 479 and that the bill retain its place on the regular calendar.

A non-record roll call was requested.

The ayes were 24, nays 61.

The motion lost.

Perkins of Greene moved the adoption of amendment H-3956, to amendment H-3761.

A non-record roll call was requested.

The ayes were 68, nays 19.

Amendment H-3956 was adopted.

Pelton of Clinton moved the adoption of amendment H-3761, as amended.

Roll call was requested by Welsh of Dubuque and Harbor of Mills.

Rule 80 was invoked.

On the question "Shall amendment H-3761, as amended, be adopted?"

The ayes were, 44:

Arnould	Avenson	Bina	Binneboese
Brandt	Chiodo	Conlon	Connolly
Connors	Crawford	Cusack	Dieleman
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hibbs	Howell	Hummel	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Larsen	Lloyd-Jones	Maulsby

Patchett	Pavich	Pelton	Perkins
Rapp	Ritsema	Schnekloth	Sherzan
Shimanek	Smalley	Spear	Swearingen
Walter	Wells	Welsh	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Corey
Crabb	Daggett	Danker	Davitt
De Groot	Diemer	Doyle	Egenes
Evans	Gettings	Halvorson, R.A.	Hansen, I.
Harbor	Hinkhouse	Hoffmann	Horn
Hullinger	Husak	Jay	Kirkenlager
Lageschulte	Lonergan	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pellett
Poffenberger	Pope	Schroeder	Shull
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 4:

Anderson, R.	Byerly	Holt	Lind
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Amendment H—3761, as amended, lost.

Daggett of Taylor 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 80 was invoked.

On the question "Shall the bill pass?" (S.F. 479)

The ayes were, 58:

Anderson, J.	Anderson, R.	Avenson	Bennett
Branstad	Clark, J.H.	Cochran	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Johnson, J.	Johnson, W.	Kirkenlager
Lageschulte	Lorenzen	Lura	McKean
Menke	Miller	Norland	Oxley
Pellett	Schnekloth	Schroeder	Shull
Stromer	Swearingen	Thompson	Tofte

Tyrrell West	Van Maanen Mr. Speaker	Welden	Wells
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The nays were, 37:

Arnould	Bina	Binneboese	Brandt
Bruner	Chiodo	Conlon	Connolly
Connors	Cusack	Dieleman	Hall
Hibbs	Jesse	Jochum	Johnson, R.
Krewson	Larsen	Lloyd-Jones	Loneragan
Maulsby	O'Kane	Patchett	Pavich
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Sherzan	Shimanek
Smalley	Spear	Walter	Welsh
Woods			

Absent or not voting, 5:

Byerly Mullins	Clark, B.J.	Holt	Lind
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

OBJECTION TO VOTE

Davitt of Warren asked for unanimous consent to be recorded as voting "aye" on Senate File 388.

Objection was raised.

HOUSE FILE 350 WITHDRAWN

Shimanek of Jones asked and received unanimous consent to withdraw House File 350 from further consideration by the House.

On motion by Halvorson of Clayton the House was recessed at 12:22 p.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

QUORUM CALL

Roll call was requested by Schroeder of Pottawattamie and De Groot of Lyon to determine that a quorum was present.

Present, 77:

Anderson, J.	Anderson, R.	Bennett	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Harbor	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hummel
Husak	Jay	Jesse	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Woods
Mr. Speaker			

Absent, 23:

Arnould	Avenson	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Cusack	Daggett
Hanson, D.	Holt	Hullinger	Jochum
Krewson	Lind	Lonergan	Mullins
Norland	Patchett	Rapp	Smalley
Thompson	Welsh	West	

CONSIDERATION OF BILLS

Senate File 269, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county, with report of committee recommending amendment and passage was taken up for consideration.

Tofte of Winneshiek offered amendment H-3485 filed by the committee on county government on March 20, 1979 and found on page 1022 of the House Journal and moved its adoption.

Amendment H-3485 was adopted.

Tofte of Winneshiek 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. 269)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimaneck	Shull	Spear
Stromer	Swearingen	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 13:

Byerly	Clark, B.J.	Cusack	Holt
Jochum	Johnson, J.	Krewson	Lind
Mullins	Patchett	Smalley	Thompson
Welsh			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 367 WITHDRAWN

Danker of Pottawattamie asked and received unanimous consent to withdraw House File 367 from further consideration by the House.

Senate File 450, a bill for an act establishing licensing for mobile home dealers and travel trailer dealers and providing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Kirkenslager of Des Moines offered amendment H—3844 filed by the committee on transportation on April 10, 1979 and found on pages 1498 through 1502 of the House Journal.

Schroeder of Pottawattamie offered the following amendment H—3959, to the committee amendment H—3844, filed by Schroeder, Walter, Pavich, Miller and Danker from the floor and moved its adoption:

H—3959

- 1 Amend amendment H—3844 to Senate File 450 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by inserting after line 4 the follow-
- 5 ing:
- 6 "4. "Mobile home shed" means a shed may be adja-
- 7 cent to a mobile home or attached to the mobile home
- 8 of the owner provided that the shed is at least ten
- 9 feet from any other mobile home.
- 10 2. Renumber sections as necessary in accordance
- 11 with this amendment.

Amendment H—3959 was adopted.

Kirkenslager of Des Moines offered the following amendment H—3957, to the committee amendment H—3844, filed by him from the floor and moved its adoption:

H—3957

- 1 Amend the amendment H—3844 to Senate File 450
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 44 through 47.

Amendment H—3957 was adopted.

Egenes of Story offered the following amendment H—3889, to the committee amendment H—3844, filed by her and moved its adoption:

H—3889

- 1 Amend the Committee on Transportation amendment,
- 2 H—3844, to Senate File 450 as amended, passed and
- 3 reprinted by the Senate, as follows:

- 4 1. Page 4, by inserting after line 20 the following:
 5 " . Amend the title, line 1, by inserting after
 6 the word "dealers" the words ", manufacturers, distribu-
 7 tors, manufacturer's representatives, distributor's
 8 representatives,".
 9 . Amend the title, line 2, by inserting after
 10 the word "dealers" the words ", manufacturers,
 11 distributors, manufacturer's representatives,
 12 distributor's representatives,"."

Amendment H—3889 was adopted.

Kirkenslager of Des Moines moved the adoption of the committee amendment H—3844, as amended.

A non-record roll call was requested.

The ayes were 70, nays 8.

The committee amendment H—3844, as amended, was adopted.

Van Maanen of Mahaska offered amendment H—3821 filed by him and requested division as follows:

H—3821

- 1 Amend Senate File 450 as amended, passed and
 2 reprinted by the Senate as follows:

H—3821A

- 3 1. Page 1, by inserting after line 33 the follow-
 4 ing:
 5 "4. To sell "at retail" means to sell a mobile
 6 home to a person who will devote it to a consumer
 7 use.
 8 5. "New mobile home" means a mobile home that
 9 has not been sold at retail.
 10 6. "Used mobile home" means a mobile home that
 11 has been sold at retail and previously registered
 12 in this or any other state."

H—3821B

- 13 2. Page 2, line 21, by striking the word "fifty"
 14 and inserting in lieu thereof the word "twenty-five".

H-3821A

15 3. Page 2, by inserting after line 31 the follow-
16 ing:
17 "4. PERMITS FOR FAIRS, SHOWS, AND EXHIBITIONS.
18 Mobile home dealers, in addition to selling mobile
19 homes at their principal place of business and lots,
20 may, upon receipt of a temporary permit approved by
21 the department, display and offer new mobile homes
22 for sale and negotiate sales of new mobile homes at
23 fairs, shows and exhibitions which are approved by
24 the department. Application for temporary permits
25 shall be made upon forms provided by the department
26 and shall be accompanied by a ten dollar permit fee.
27 Temporary permits shall be issued for a period not
28 to exceed fourteen days."

H-3821C

29 4. Page 11, by striking lines 28 and 29.

On motion by Van Maanen of Mahaska, amendment H-3821A was adopted.

Van Maanen of Mahaska moved the adoption of amendment H-3821B.

A non-record roll call was requested.

The ayes were 35, nays 44.

Amendment H-3821B lost.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H-3821C.

O'Kane of Woodbury offered the following amendment H-3734 filed by him:

H-3734

1 Amend Senate File 450 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 7, by inserting after line 13 the
4 following:
5 "c. The agreement or contract complies with section
6 twenty (20) of this Act, where applicable."

7 2. Page 11, by inserting after line 11 the
8 following:

9 "Sec. 18. Section three hundred twenty-one point
10 one (321.1), subsection nine (9), Code 1979, is amended
11 by adding the following new unnumbered paragraphs:
12 **NEW UNNUMBERED PARAGRAPH.** "New trailer" means
13 a trailer that has not been transferred to a person
14 who will devote it to a consumer use.

15 **NEW UNNUMBERED PARAGRAPH.** "Used trailer" means
16 a trailer which has been transferred to a person who
17 will devote it to a consumer use and which has been
18 previously registered in this or any other state."

19 3. Page 11, by inserting after line 27 the
20 following:

21 "Sec. 20. Chapter three hundred twenty-one (321),
22 Code 1979, is amended by adding the following new
23 section:

24 **NEW SECTION. TRAILER RETAIL INSTALLMENT CONTRACT—**
25 **FINANCE CHARGES.** Notwithstanding the provisions
26 of any other law, a retail installment contract or
27 agreement for the sale of a trailer may include a
28 finance charge not in excess of the following rates:

29 Class 1. Any new trailer designated by the
30 manufacturer by a year model not earlier than the
31 year in which the sale is made, an amount equivalent
32 to one and one-fourth percent per month simple interest
33 on the declining balance of the amount financed.

34 Class 2. Any new trailer not in Class 1 and any
35 used trailer designated by the manufacturer by a year
36 model of the same or not more than two years prior
37 to the year in which the sale is made, an amount
38 equivalent to one and three-fourths percent per month
39 simple interest on the declining balance of the amount
40 financed.

41 Class 3. Any used trailer not in Class 2 and
42 designated by the manufacturer by a year model more
43 than two years prior to the year in which the sale
44 is made, an amount equivalent to two and one-fourth
45 percent per month simple interest on the declining
46 balance of the amount financed.

47 Amount financed shall be as defined in section
48 five hundred thirty-seven point one thousand three
49 hundred one (537.1301) of the Code."

50 4. By renumbering sections and correcting internal

Page 2

1 references as required by this amendment.

Menke of O'Brien rose on a point of order that amendment
H—3734 was not germane.

The Speaker ruled the point well taken and amendment H—3734 not germane.

Kirkenslager of Des Moines offered the following amendment H—3947 filed by him:

H—3947

1 Amend Senate File 450 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 11, by inserting after line 27 the
4 following:
5 "Sec. . . . NEW SECTION. REAL PROPERTY TRANSACTIONS
6 EXEMPT. Sections one (1) through eighteen (18) of
7 this Act do not apply to a sale or lease of a mobile
8 home or modular home by a person licensed under chapter
9 one hundred seventeen (117) of the Code, whether as
10 a principal or as an agent, when the sale or lease
11 is accompanied by a sale or lease of real property
12 upon which the mobile home or modular home is
13 situated."

Kirkenslager of Des Moines offered the following amendment H—3955, to amendment H—3947, filed by him from the floor and moved its adoption:

H—3955

1 Amend the amendment H—3947 to Senate File 450
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, line 7, by striking the words "or
5 lease".
6 2. Page 1, line 10, by striking the words "or
7 lease".
8 3. Page 1, line 11, by striking the words "or
9 lease".

Amendment H—3955 was adopted.

Miller of Buchanan rose on a point of order that amendment H—3947 was not germane.

The Speaker ruled the point well taken and amendment H—3947 not germane.

Hummel of Benton asked for unanimous consent to take up for consideration amendment H—3947.

Objection was raised.

Lura of Marshall rose on a point of order and invoked Rule 37 to refer Senate File 450 to the committee on ways and means.

The Speaker ruled the point not well taken and Rule 37 not in order.

Kirkenslager 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.

Rule 80 was invoked.

Under the provisions of Rule 81, Miller of Buchanan refrained from voting.

On the question "Shall the bill pass?" (S.F. 450)

The ayes were, 53:

Anderson, R.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crabb	Daggett
Danker	Davitt	De Groot	Diemer
Doyle	Egenes	Evans	Gettings
Halvorson, R.A.	Hansen, I.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Menke	Pavich	Pelton	Rapp
Schnekloth	Schroeder	Sherzan	Shull
Spear	Stromer	Thompson	Tofte
Van Maanen	Walter	West	Woods
Mr. Speaker			

The nays were, 41:

Anderson, J.	Arnould	Avenson	Bina
Brandt	Bruner	Conlon	Crawford
Cusack	Dieleman	Groth	Hall
Halvorson, R.N.	Hanson, D.	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura

Maulsby	McKean	Norland	O'Kane
Oxley	Patchett	Pellett	Perkins
Pope	Ritsema	Shimanek	Smalley
Swearingen	Tyrrell	Welden	Wells
Welsh			

Absent or not voting, 6:

Byerly	Chiodo	Lind	Miller
Mullins	Poffenberger		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, for the remainder of the day, on request of Clark of Cerro Gordo.

Speaker pro tempore Harbor of Mills in the chair at 2:56 p.m.

Senate File 478, a bill for an act to legalize and validate the acts and agreements of north Iowa municipal electric cooperative association and its municipal members with allied power cooperative of Iowa and declaring said actions to have been legally taken, reported without recommendation by the committee was taken up for consideration.

Pelton of Clinton offered the following amendment H-3850 filed by him and Walter of Pottawattamie:

H-3850

- 1 Amend Senate File 478 as follows:
- 2 1. Page 2, lines 4 and 5, by striking the
- 3 words "through the use of tax exempt financing".
- 4 2. Page 3, line 5, by striking the words "on a
- 5 tax exempt basis".

Schroeder of Pottawattamie offered the following amendment H—3969, to amendment H—3850, filed by him from the floor and asked and received unanimous consent to withdraw amendment H—3969:

H—3969

- 1 Amend the Pelton et al. amendment, H—3850, to Senate
- 2 File 478 as passed and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking lines 2 through 5 and inserting
- 5 in lieu thereof the following:
- 6 " Page 3, by inserting after line 9 the
- 7 following:
- 8 "Sec. . Section four hundred forty-two point
- 9 two (442.2), Code 1979, is amended by adding the
- 10 following new subsection:
- 11 NEW SUBSECTION. In determining the assessed
- 12 valuation of all taxable property in a district, the
- 13 state comptroller shall include in the total assessed
- 14 valuation of the district for the purpose of computing
- 15 state school aid, the assessed valuation of the
- 16 property of municipally-owned gas and electric
- 17 utilities in the district not subject to assessment
- 18 under chapter four hundred thirty-seven (437) of the
- 19 Code. The director of revenue shall certify to the
- 20 state comptroller the assessed valuation of the
- 21 property of municipally-owned gas and electric
- 22 utilities not subject to assessment under chapter
- 23 four hundred thirty-seven (437) of the Code in each
- 24 district as determined by using the assessed value
- 25 per meter in service of an investor-owned utility
- 26 located in the state of Iowa and apply this assessed
- 27 value to the meters in service of the municipally-
- 28 owned utilities. The state comptroller shall compute
- 29 the foundation property tax of five dollars and forty
- 30 cents per thousand dollars of assessed valuation on
- 31 the assessed valuation of all taxable property in
- 32 the district including the assessed valuation of
- 33 municipally-owned utility property. The foundation
- 34 property tax of five dollars and forty cents per
- 35 thousand dollars of assessed valuation shall not
- 36 be levied against municipally-owned utility property
- 37 not subject to assessment under chapter four hundred
- 38 thirty-seven (437) of the Code but shall be included
- 39 in the district property tax base for purposes of
- 40 determining the district's state school foundation
- 41 aid."
- 42 . By numbering and renumbering the remaining
- 43 sections in accordance with this amendment.
- 44 . Amend the title, line 4, by inserting after

45 the word "taken" the words ", and by providing for
46 the inclusion of municipally-owned utilities in
47 assessed valuation for the purpose of determining
48 state aid".

Pelton of Clinton asked and received unanimous consent to defer action on amendment H—3850.

Pelton of Clinton offered the following amendment H—3862 filed by him and Walter of Pottawattamie:

H—3862

1 Amend Senate File 478 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 3, by inserting after line 9 the following:
4 "Sec. Chapter four hundred seventy-six (476),
5 Code 1979, is amended by adding the following new
6 section:
7 NEW SECTION.
8 1. As used in this section, "association" means
9 an association which is organized under chapter four
10 hundred ninety-nine (499) of the Code and which
11 acquires facilities for the generation and transmission
12 of electric energy as permitted by section one (1)
13 of this Act.
14 2. All rates and charges made, demanded or received
15 by an association for or in connection with the
16 transmission or sale of electrical energy and all
17 rules and regulations affecting or pertaining to the
18 rates or charges shall be just and reasonable and
19 any rate or charge that is not just and reasonable
20 is unlawful. An association shall not, with respect
21 to a transmission or sale, either make or grant an
22 undue preference or advantage to any person or subject
23 any person to an undue prejudice or disadvantage,
24 or maintain an unreasonable difference in rates,
25 charges, service, facilities, or in any other respect,
26 either between localities or between classes of
27 service.
28 3. The Iowa state commerce commission shall review
29 all contracts of an association involving sales of
30 power to determine whether the rates and charges are
31 just and reasonable, and are not unduly discriminatory
32 or preferential within the meaning of subsection two
33 (2) of this section. The commission may investigate
34 those contracts and hold hearings when necessary.
35 In enforcing the authority granted by this section,
36 the commission has all of the powers granted to the
37 commission by chapter four hundred seventy-six (476)
38 of the Code with respect to rates and charges for

39 electric service furnished to the public for
40 compensation. If the commission undertakes to review
41 a contract of an association, the contract and all
42 rates and charges associated with that contract are
43 conclusively presumed to be lawful upon the expiration
44 of ninety days after the commission gives notice to
45 the association of the intended review, except those
46 contract terms, rates, or charges which the commission
47 has determined to be unlawful by a written decision
48 rendered prior to the expiration of the ninety-day
49 period. This subsection does not authorize the
50 commission to impair the obligations of an association

Page 2

1 under a contract with its bondholders.
2 4. For purposes of this subsection, the Iowa state
3 commerce commission has authority to the extent
4 permitted by the Constitution and the laws of the
5 United States, over all contracts of an association
6 involving the sale of power. If a contract of an
7 association involving the sale of power is not subject
8 to the authority of the Iowa state commerce commission
9 as a result of the Constitution or the laws of the
10 United States, the Iowa state commerce commission
11 shall petition any federal agency which has
12 jurisdiction over that contract, and is authorized
13 to take any other action necessary, to obtain
14 compliance by the association with applicable law
15 respecting rates and charges for sales of power."

Corey of Louisa rose on a point of order that amendment
H-3862 not germane.

The Speaker ruled the point well taken and amendment
H-3862 not germane.

Pelton of Clinton offered the following amendment H-3831
filed by him and moved its adoption:

H-3831

1 Amend Senate File 478 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 10 through 14.

Amendment H-3831 lost.

The House resumed consideration of amendment H—3850.

Pelton of Clinton asked and received unanimous consent to withdraw amendment H—3850.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dieleman of Marion for the remainder of the day on request of Howell of Floyd.

Hanson of Delaware rose on a point of order and requested a ruling as to whether or not passage of Senate File 478 would require a two-thirds vote.

The Speaker ruled that a two-thirds vote would not be required.

Crabb of Crawford 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 80 was invoked.

On the question "Shall the bill pass?" (S.F. 478)

The ayes were, 61:

Anderson, J.	Avenson	Bennett	Binneboese
Brandt	Branstad	Bruner	Clark, B.J.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Doyle	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hinkhouse	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Larsen	Lorenzen
Maulsby	Menke	Miller	Norland
Oxley	Pavich	Pellett	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Shull	Stromer	Tofte
Tyrrell	Van Maanen	Wells	Welsh
West			

The nays were, 31:

Anderson, R.	Arnould	Bina	Chiodo
Clark, J.H.	Connors	Cusack	Davitt

Gettings	Hanson, D.	Hibbs	Hoffmann
Jay	Jesse	Kirkenslager	Krewson
Lloyd-Jones	Lonergan	Lura	McKean
O'Kane	Patchett	Pelton	Schroeder
Sherzan	Smalley	Spear	Swearingen
Thompson	Walter	Mr. Speaker (Harbor)	

Absent or not voting, 8:

Byerly	Dieleman	Lind	Millen
Mullins	Shimanek	Welden	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED (Senate File 478)

Crabb of Crawford moved to reconsider the vote by which Senate File 478 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 59, nays 24.

The motion prevailed.

ADOPTION OF HOUSE MEMORIAL RESOLUTION

Johnson of Linn offered the following House Memorial Resolution 2 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 2

Whereas, The Honorable Dale Theron Crosier of Linn County, who was a member of the sixty-first and sixty-third general assemblies, passed away April 16, 1979; *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 Johnson of Linn, Wells of Linn and Oxley of Linn.

ANNOUNCEMENT BY THE SPEAKER

The Speaker appointed the following representatives as the official delegation to the funeral services of the Honorable Dale L. Crosier, former representative from Linn County: Oxley of Linn and Wells of Linn.

UNFINISHED BUSINESS CALENDAR

Halvorson of Clayton asked and received unanimous consent that Senate File 93, presently on the regular calendar, be placed on the unfinished business calendar.

Halvorson of Clayton asked and received unanimous consent to take up out of order House File 736.

House File 736, a bill for an act to permit distributors and dealers to purchase fuel from other than the franchisor when motor fuel or special fuel is not available from the franchisor, and providing penalties for violations, was taken up for consideration.

Evans of Grundy offered the following amendment H—3849 filed by him:

H—3849

- 1 Amend House File 736 as follows:
- 2 1. Page 1, line 35, by striking the word "the"
- 3 and inserting in lieu thereof the word "a".
- 4 2. Page 2, by striking lines 1 through 3 and
- 5 inserting in lieu thereof the words "fuel from a
- 6 franchisor may purchase".
- 7 3. Page 2, line 5, by striking the words "only
- 8 if" and inserting in lieu thereof the word "provided".
- 9 4. Page 2, line 13, by inserting after the word
- 10 "delivered." the following: "The request to the fran-
- 11 chisor for delivery shall be for a type of fuel normally
- 12 provided by the franchisor to the franchisee and
- 13 for a quantity of fuel not exceeding the average
- 14 amount sold by the franchisee in one week, based upon
- 15 average weekly sales in the three months preceding
- 16 the request."
- 17 5. Page 2, line 32, by inserting after the word
- 18 "dispensing" the word "the".

Evans of Grundy offered the following amendment H—3932, to amendment H—3849, filed by him and moved its adoption:

H—3932

- 1 Amend amendment H—3849 to House File 736 as
- 2 follows:
- 3 1. Page 1, line 16, by inserting following the
- 4 word "request" the words ", except that this provision
- 5 shall not restrict a franchisee from purchasing gas-
- 6 ohol from a source other than the franchisor or limit
- 7 the quantity to be purchased when the franchisor does
- 8 not normally supply the franchisee with gasohol".

Amendment H—3932 was adopted.

On motion by Evans of Grundy, amendment H—3849, as amended, was adopted.

O'Kane of Woodbury offered the following amendment H—3882 filed by him:

H—3882

- 1 Amend House File 736 as follows:
- 2 1. Page 3, by inserting after line 5, the
- 3 following:
- 4 "Sec. . Section two hundred fourteen A
- 5 point eleven (214A.11), Code 1979, is amended to
- 6 read as follows:
- 7 "214A.11 VIOLATIONS. Any person violating
- 8 the provisions of this chapter shall be guilty of
- 9 a simple serious misdemeanor."

Conlon of Muscatine rose on a point of order that amendment H—3882 was not germane.

The Speaker ruled the point not well taken and amendment H—3882 germane.

O'Kane of Woodbury moved the adoption of amendment H—3882.

Amendment H—3882 lost.

Davitt of Warren offered the following amendment H—3900 filed by him and Evans of Grundy and moved its adoption:

H—3900

- 1 Amend House File 736 as follows:
- 2 1. Page 3, by inserting after line 5 the
- 3 following section:
- 4 "Sec. . This Act, being deemed of immediate
- 5 importance, shall take effect from and after its
- 6 publication in the Traer Star-Clipper, a newspaper
- 7 published in Traer, Iowa and in The Winterset
- 8 Madisonian, a newspaper published in Winterset,
- 9 Iowa."

Amendment H—3900 was adopted.

Evans 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.

On the question "Shall the bill pass?" (H.F. 736)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Millen	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	
		(Harbor)	

The nays were, 2:

Hullinger

Hummel

Absent or not voting, 7:

Byerly
Lind

Danker
Mullins

Dieleman
Woods

Jesse

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 736)

Evans of Grundy asked and received unanimous consent to immediately message House File 736 to the Senate.

Speaker Millen in the chair at 4:40 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Danker of Pottawattamie, for the remainder of the day, on request of Halvorson of Clayton.

SENATE AMENDMENT CONSIDERED

Krewson of Polk called up for consideration **House File 81**, a bill for an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas, amended by the Senate amendment H—3381, received from the Senate on March 13 and found on pages 910 and 911 of the House Journal.

Norland of Worth offered the following amendment H—3833, to the Senate amendment H—3381, filed by Norland, et al., and moved its adoption:

H—3833

- 1 Amend the Senate amendment, H—3381, to House File
- 2 81 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking lines 25 through 28.

Roll call was requested by Norland of Worth and Avenson of Fayette.

Rule 80 was invoked.

On the question "Shall amendment H—3833, to the Senate amendment H—3381, be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Chiodo	Cochran
Connolly	Cusack	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Welden
Wells	Welsh		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Davitt	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	McKean	Menke	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	West	Mr. Speaker

Absent or not voting, 10:

Brandt	Byerly	Connors	Danker
Dieleman	Hinkhouse	Lind	Mullins
Tofte	Woods		

Amendment H—3833 lost.

Schneklath of Scott offered the following amendment H—3909, to the Senate amendment H—3381, filed by him and Bennett of Ida and moved its adoption:

H—3909

- 2 81 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, line 27, by striking the word "fifteen".

Amendment H—3909 lost.

Bina of Scott offered the following amendment H—3753, to the Senate amendment H—3381, filed by him and moved its adoption:

H—3753

- 1 Amend the Senate amendment H—3381, to House
 2 File 81, as passed by the House and reprinted, as
 3 follows:
 4 1. Page 2, by striking lines 1 and 2 and
 5 inserting in lieu thereof the following: "compensa-
 6 tion of at least one month's rent and actual reloca-
 7 tion expenses to".

Roll call was requested by Bina of Scott and Cusack of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—3753 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Weish	

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Pellett	Pelton

Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 10:

Byerly	Danker	Dieleman	Hinkhouse
Lind	Mullins	Patchett	Poffenberger
Stromer	Woods		

Amendment H—3753 lost.

Krewson of Polk moved that the House concur in the Senate amendment H—3381.

Roll call was requested by Bina of Scott and Kirkenlager of Des Moines.

On the question "Shall the House concur in the Senate amendment H—3381?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Davitt	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenlager	Krewson
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	McKean	Menke	Pellett
Pelton	Perkins	Pope	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Cusack
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Pavich	Rapp
Sherzan	Spear	Walter	Wells
Welsh			

Absent or not voting, 10:

Byerly	Danker	Dieleman	Hinkhouse
Lind	Mullins	Patchett	Poffenberger
Ritsema	Woods		

The motion prevailed and the House concurred in the Senate amendment H—3381.

Krewson 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 81)

The ayes were, 73:

Anderson, J.	Bennett	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Daggett	De Groot
Diemer	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lorezen	Lura	Maulsby
McKean	Menke	Miller	Norland
O'Kane	Oxley	Pavich	Pelton
Perkins	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	West
Mr. Speaker			

The nays were, 17:

Anderson, R.	Arnould	Avenson	Bina
Chiodo	Connors	Cusack	Davitt
Groth	Howell	Hullinger	Jay
Jesse	Jochum	Loneragan	Sherzan
Welsh			

Absent or not voting, 10:

Byerly	Danker	Dieleman	Hinkhouse
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Lind
Poffenberger

Mullins
Woods

Patchett

Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER
(Senate File 479)

I move to reconsider the vote by which Senate File 479 passed the House on April 18, 1979.

DAGGETT of Taylor

(Senate File 190)

I move to reconsider the vote by which Senate File 190 passed the House on April 17, 1979.

HARBOR of Mills

SPECIAL PRESENTATION

Welsh of Dubuque, in conjunction with National Boys' Club Week and National Boys' Club Day as proclaimed by Governor Robert Ray, presented to the House the following representatives of the Boys' Clubs of Iowa: Jeff Houston of Ames, guest of Crawford of Story and Bruner of Story; Mike Peavey of Des Moines, guest of Connors of Polk and Krewson of Polk; Kevin Nobis of Waterloo, guest of Diemer of Black Hawk and Rapp of Black Hawk; and Larry Grant of Dubuque, guest of Connolly of Dubuque and Welsh of Dubuque.

The House rose and extended its welcome.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty-two students from Forest City High School, Forest City, Iowa. By Branstad of Winnebago.

Sixty-two senior students from Gehlen Catholic High School, Le Mars, Iowa, accompanied by Richard Seivert, Barney Rolfes and Reverend Geelan. By Ritsema of Sioux.

Fifty sixth grade students from Milford Elementary School, Milford, Iowa, accompanied by Mrs. Anderson and Mrs. Hagedorn. By Holt of Clay and Hansen of O'Brien.

Thirty fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Mrs. McMorrow. By Jay of Appanoose.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday, April 12, and Tuesday, April 17. Had I been present, I would have voted "nay" on the amendment H-3790 to Senate File 373, and I would have voted "aye" on Senate File 462.

THOMPSON of Polk

On April 17 I was attending, as a member, a meeting of the Governor's Task Force on Care and Support of Dependent Adults to hear a progress report on a model state project now underway in my district which is studying the need for a more efficient and coordinated system of program delivery to our elderly who are in need. Had I been present I would have voted "nay" on Senate file 149 and "aye" on Senate File 280 and amendment H-3890 to Senate File 344.

CUSACK of Scott

Due to my responsibility as a member of the board of trustees of the Davenport Municipal Art Gallery, I was necessarily absent from the House chamber on the afternoon of Tuesday, April 17 attending the April monthly meeting of the Gallery board of trustees. Had I been present, I would have voted "aye" on Senate File 160, Senate File 190, Senate File 280, Senate File 400, Senate File 462, amendment H-3890 to Senate File 344, and Senate File 344. I would have voted "nay" on Senate File 149.

BINA of Scott

I was necessarily absent from the House chamber on Wednesday afternoon, April 18, 1979. Had I been present, I would have voted "aye" on Senate File 478.

MULLINS of Kossuth

I was necessarily absent from the House chamber on Wednesday afternoon, April 18, 1979. Had I been present, I would have voted "aye" on Senate File 450.

POFFENBERGER of Dallas

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act making appropriations to the office of governor and other executive departments, including the department of justice and office of lieutenant governor.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3958	S.F. 93	Lura of Marshall
H-3960	S.F. 280	Anderson of Audubon
		Branstad of Winnebago
		Poffenberger of Dallas
H-3961	S.F. 278	Egenes of Story
H-3962	S.F. 203	Schroeder of Pottawattamie
H-3963	S.F. 172	Spear of Lee
H-3964	S.F. 264	Spear of Lee
H-3965	S.F. 264	Spear of Lee
H-3966	S.F. 442	Ritsema of Sioux
H-3967	S.F. 230	Conlon of Muscatine
H-3968	S.F. 164	Bennett of Ida

H-3970	S.F. 278	Miller of Buchanan
		Brandt of Black Hawk
H-3971	S.F. 235	Bennett of Ida
		Husak of Tama
H-3972	S.F. 442	Howell of Floyd
H-3973	S.F. 264	Cusack of Scott
		Connolly of Dubuque
H-3974	S.F. 264	Chiodo of Polk
H-3975	S.F. 264	Hanson of Delaware
		Conlon of Muscatine
H-3976	S.F. 264	Hanson of Delaware
		Lura of Marshall
H-3977	S.F. 264	Crawford of Story
H-3978	S.F. 264	Chiodo of Polk
H-3979	S.F. 264	Crawford of Story
		Hibbs of Johnson
		Brandt of Black Hawk
		Lloyd-Jones of Johnson
H-3980	H.F. 734	Avenson of Fayette
H-3981	S.F. 361	Patchett of Johnson
		Poffenberger of Dallas
		Lloyd-Jones of Johnson
H-3982	S.F. 286	Howell of Floyd
H-3983	S.F. 277	Schroeder of Pottawattamie
		Schnekloth of Scott
		Bennett of Ida
H-3984	S.F. 442	Howell of Floyd
H-3985	S.F. 235	Hanson of Delaware
		Welsh of Dubuque
H-3986	S.F. 278	Menke of O'Brien
H-3987	S.F. 264	Crawford of Story
H-3988	S.F. 448	Jesse of Polk
H-3989	S.F. 436	Davitt of Warren

On motion by Halvorson of Clayton the House adjourned at 5:40 p.m., until 10:00 a.m., Thursday, April 19, 1979.

JOURNAL OF THE HOUSE

One Hundred second Calendar Day—Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Stanley Woeste, pastor of the First United Methodist Church, Indianola, Iowa.

The Journal of Wednesday, April 18, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. A. S. Owca, Centerville, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury, for the morning session, on request of Hullinger of Decatur; Byerly of Polk on request of Woods of Polk; Mullins of Kossuth, for the morning session, on request of Clark of Cerro Gordo; Poffenberger of Dallas, for April 19 and 20, on request of Hibbs of Johnson.

INTRODUCTION OF BILLS

House File 742, by committee on appropriations, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Read first time and placed on the **appropriations calendar**.

House File 743, by committee of ways and means, a bill for an act relating to membership in the Iowa state association of counties.

Read first time and placed on the **ways and means 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 on April 17, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 93, a bill for an act relating to the time allowed for renewal of a real estate apprentice salesperson's license.

Also: That the Senate has on April 17, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties.

Also: That the Senate has on April 17, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 153, a bill for an act making a technical correction to the chapter on termination of parental rights.

Also: That the Senate has on April 17, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 368, a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation.

Also: That the Senate has on April 17, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 374, a bill for an act relating to the issuance and renewal of teacher certificates.

Also: That the Senate has on April 17, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 647, a bill for an act relating to the compensation of township trustees and township clerks.

Also: That the Senate has on April 17, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 669, a bill for an act requiring a life cycle cost analysis for certain government construction projects.

Also: That the Senate has on April 17, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 683, a bill for an act increasing the maximum assessment established by the Iowa corn promotion board and relating to the use for political purposes of funds derived from the assessment.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 148

H-3990

1 Amend House File 148 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 8, by inserting after the word
4 "farming" the following: ", but does not include
5 any oil, gas, coal or other minerals underlying the
6 land, any interest in minerals whether acquired by
7 lease or otherwise, or any easements acquired in
8 connection with the transportation of minerals or
9 their derivatives".

10 2. Page 2, line 22, by striking the word "or"
11 and inserting in lieu thereof the words "acquired
12 by devise or descent nor shall it apply to".

13 3. Page 2, line 26, by striking the words "by
14 devise or descent or acquired".

15 4. Page 2, line 32, by inserting after the word
16 "state" the words "except by devise or descent from
17 a non-resident alien".

18 5. Page 3, line 26, by inserting after the word
19 "interest." the words "This section shall not require
20 divestment of land acquired by devise or descent from
21 a non-resident alien who had acquired the land prior
22 to July 1, 1979".

23 6. Page 3, line 29, by inserting after the word
24 "state" the words "except by devise or descent".

SENATE AMENDMENT TO
HOUSE FILE 368

H-3991

1 Amend House File 368 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 3 and 4 and inserting
4 in lieu thereof the following:
5 . "704.11 POLICE ACTIVITY. A peace officer or
6 person employed by acting as an agent of or directed
7 by any police agency who joins participates in the
8 participation commission of a crime".

9 2. Page 1, by inserting after line 18 the follow-
10 ing paragraph:

11 "This section is not intended to preclude
12 the use of undercover or surveillance persons by law
13 enforcement agencies in appropriate circumstances and
14 manner. It is intended to discourage such activity
15 to tempt, urge or persuade the commission of offenses
16 by persons not already disposed to commit offenses of
17 that kind."

18 3. Page 1, by striking lines 19 through 23.

SENATE AMENDMENT TO
HOUSE FILE 647

H-3992

- 1 Amend House File 647 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Page 1, line 6, by inserting after the word
4 "rate" the words "of not less than the hourly rate
5 established for pay grade eight, step one of the state
6 merit system pay plan as".
- 7 2. Page 1, line 7, by inserting after the word
8 "However," the words "in lieu of an hourly rate of
9 compensation,".
- 10 3. Page 1, line 8, by inserting after the word
11 "supervisors" the words ", upon recommendation of
12 the county compensation board,".
- 13 4. Page 1, line 10, by inserting after the word
14 "trustees." the following: "The minimum daily pay
15 rate shall not be less than the minimum hourly pay
16 rate multiplied by eight. The county board of
17 supervisors may reduce the recommended minimum daily
18 pay rate, but the board shall not increase the
19 recommendation."
- 20 5. Page 1, line 35, by inserting after the words
21 "an hourly" the words "or daily pay".
- 22 6. Page 1, line 35, by inserting after the words
23 "the hourly" the words "or daily pay".

SENATE AMENDMENT TO
HOUSE FILE 669

H-3993

- 1 Amend House File 669 as amended and passed by the
2 House as follows:
- 3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. NEW SECTION. DEFINITIONS. As used
6 in this Act unless the context otherwise requires:
- 7 1. "Public agency" means an executive board,
8 commission, bureau, division, office or department
9 of the state.
- 10 2. "Facility" means a building that is heated
11 or cooled by a mechanical or electrical system.
- 12 3. "Initial cost" means the moneys required for
13 the capital construction or renovation of a facility.
- 14 4. "Renovation" means a project where additions
15 or alterations exceed fifty percent of the value of
16 a facility and will affect an energy system.
- 17 5. "Economic life" means the projected or
18 anticipated useful life of a facility as expressed

19 by a term of years.

20 6. "Life cycle cost analysis" means an analytical
21 technique that considers certain costs of owning,
22 using and operating a facility over its economic life
23 including but not limited to the following:

24 a. Initial costs.

25 b. System repair and replacement costs.

26 c. Maintenance costs.

27 d. Operating costs, including energy costs.

28 e. Salvage value.

29 7. "Energy system" includes, but is not limited
30 to the following equipment or measures:

31 a. Equipment used to heat or cool the facility.

32 b. Equipment used to heat water in the facility.

33 c. On-site equipment used to generate electricity
34 for the major facility.

35 d. On-site equipment that uses the sun, wind,
36 oil, natural gas, coal or electricity as a power
37 source.

38 e. Energy conservation measures in the facility
39 design and construction that decrease the energy
40 requirements of the facility.

41 **Sec. 2. NEW SECTION. POLICY - ANALYSIS REQUIRED.**

42 The general assembly declares that energy management
43 is of primary importance in the design of publicly-
44 owned facilities. Commencing January 1, 1980, a
45 public agency responsible for the construction or
46 renovation of a facility shall, in a design begun
47 after that date, include as a design criterion the
48 requirement that a life cycle cost analysis be
49 conducted for the facility. The objectives of the
50 life cycle cost analysis are to optimize energy

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1 efficiency at an acceptable life cycle cost. The
2 life cycle cost analysis shall meet the requirements
3 of section three (3) of this Act.

4 **Sec. 3. NEW SECTION. ELEMENTS OF ANALYSIS.**

5 1. A life cycle cost analysis shall include but
6 is not limited to the following elements:

7 a. Specification of energy management objectives
8 and health, safety and functional constraints. The
9 facility design shall comply with applicable state
10 or local building code requirements.

11 b. Identification of the energy needs of the
12 facility and energy system alternatives to meet those
13 needs.

14 c. Cost of the energy system alternatives
15 identified in paragraph b of this subsection.

16 d. Determination of amounts and timing of cash

17 flow.

18 e. Calculation of life cycle cost using an economic
19 model such as but not limited to rate of return,
20 annual equivalent cost or present equivalent cost.

21 f. Evaluation of design and system alternatives
22 using a method such as, but not limited to design
23 matrixes, ranking tables or network analysis.

24 2. A public agency or a person preparing a life
25 cycle cost analysis for a public agency shall consider
26 the methods and analytical models in section six (6)
27 of the manual of procedures for authorized class "A"
28 energy auditors as amended to March 31, 1979 by the
29 engineering research institute at Iowa state university
30 of science and technology in preparing a life cycle
31 cost analysis.

32 Sec. 4. NEW SECTION. ANALYSIS APPROVED. The
33 life cycle cost analysis shall be approved by the
34 public agency before contracts for the construction
35 or renovation are let. A public agency may accept
36 a facility design and shall meet the requirements
37 of this Act if the design meets the operational
38 requirements of the agency and provides the optimum
39 life cycle cost. The public agency shall retain a
40 copy of the life cycle cost analysis and a statement
41 justifying a design decision both of which shall be
42 available for public inspection at reasonable hours.

43 Sec. 5. NEW SECTION. EXCEPTIONS. This Act does
44 not apply to buildings currently used by the division
45 of adult corrections of the department of social
46 services as maximum security detention facilities
47 or to the renovation of property eligible for,
48 nominated to, or entered in the national register
49 of historic places, designated by statute, or included
50 in an established list of historic places compiled

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1 by the director of the division of historical
2 preservation of the Iowa state historical department.

3 Sec. 6. NEW SECTION. RESTRICTION ON USE OF PUBLIC
4 FUNDS. Public funds shall not be used for the
5 construction or renovation of a facility unless the
6 design for the work is prepared in accordance with
7 this Act and the actual construction or renovation
8 meets the requirements of the design.

9 Sec. 7. NEW SECTION. REPEAL. This Act is repealed
10 effective January 1, 1983."

ADOPTION OF HOUSE RESOLUTION 34

Pursuant to House Rule 31, the Speaker announced that House Resolution 34, encouraging the orderly and crucial search for and the development of energy, filed on April 9, 1979 and found on pages 1462 and 1463 of the House Journal, was adopted by unanimous consent.

HOUSE FILE 593 WITHDRAWN

Norland of Worth asked and received unanimous consent to withdraw House File 593 from further consideration by the House.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 442, a bill for an act relating to the distribution of earnings of corporations which are cooperative associations, with report of committee recommending passage was taken up for consideration.

Howell of Floyd asked and received unanimous consent to temporarily defer action on amendment H—3972 for the consideration of amendment H—3888.

Hummel of Benton offered the following amendment H—3888 filed by Hummel, et al.:

H—3888

- 1 Amend Senate File 442 as follows:
- 2 1. Page 1, line 25, by inserting after the word
- 3 "members" the words "and persons sixty-five years
- 4 of age or older who are no longer eligible because
- 5 they do not meet the qualifications required in section
- 6 four hundred ninety-nine point thirteen (499.13) of
- 7 the Code".
- 8 2. Page 2, line 17, by inserting after the word
- 9 "members" the words "and persons sixty-five years
- 10 of age or older who are no longer eligible because
- 11 they do not meet the qualifications required in section
- 12 four hundred ninety-nine point thirteen (499.13) of
- 13 the Code".
- 14 3. Page 2, line 18, by inserting after the word
- 15 "of" the word "other".

Evans of Grundy offered amendment H—3994, to amendment H—3888, filed by him from the floor and requested division as follows:

H—3994

1 Amend amendment H—3888 to Senate File 442 as
2 follows:

H—3994A

3 1. Page 1, line 3, by striking the word "and"
4 and inserting in lieu thereof the word "or".

H—3994B

5 2. Page 1, line 7, by inserting after the word
6 "Code" the words "or of former stockholders or their
7 successors of corporations which have been dissolved".

H—3994A

8 3. Page 1, line 9, by striking the word "and"
9 and inserting in lieu thereof the word "or".

H—3994B

10 4. Page 1, line 13, by inserting after the word
11 "Code" the words "or of former stockholders or their
12 successors of corporations which have been dissolved".

On motion by Evans of Grundy, amendment H—3994A was adopted.

Corey of Louisa rose on a point of order that amendment H—3994B was not germane.

The Speaker ruled the point not well taken and amendment H—3994B germane.

Evans of Grundy moved the adoption of amendment H—3994B, to amendment H—3888.

A non-record roll call was requested.

The ayes were 42, nays 35.

Amendment H—3994B was adopted.

Howell of Floyd asked and received unanimous consent to withdraw amendment H-3984, to amendment H-3888, filed by him on April 18, 1979.

Hummel of Benton moved the adoption of amendment H-3888, as amended.

Roll call was requested by Hummel of Benton and Schneklath of Scott.

On the question "Shall amendment H-3888, as amended, be adopted?"

The ayes were, 25:

Anderson, J.	Binneboese	Chiodo	Clark, B.J.
Conlon	Connolly	Diemer	Evans
Gettings	Hanson, D.	Horn	Howell
Hummel	Husak	Kirkenslager	Lura
Miller	O'Kane	Pellett	Pelton
Schroeder	Sherzan	Smalley	Swearingen
Woods			

The nays were, 63:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Clark, J.H.	Cochran	Connors	Corey
Crabb	Crawford	Cusack	Danker
Davitt	De Groot	Dieleman	Egenes
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hibbs	Hinkhouse	Hoffmann
Holt	Hullinger	Jay	Jesse
Jochum	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lloyd-Jones	Loneragan
Lorenzen	Maulsby	Menke	Norland
Pavich	Perkins	Pope	Rapp
Ritsema	Schneklath	Shimanek	Shull
Spear	Stromer	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Welsh	West	Mr. Speaker	

Absent or not voting, 12:

Byerly	Daggett	Doyle	Harbor
Johnson, J.	Lind	McKean	Mullins
Oxley	Patchett	Poffenberger	Wells

Amendment H-3888, as amended, lost.

(Senate File 442 pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:03 p.m. until 1:25 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

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 on April 9, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 471, a bill for an act relating to appropriations to various regulatory and finance departments, boards and commissions.

FRANK J. STORK, Secretary

COMMITTEE TO NOTIFY THE SENATE

Welden of Hardin 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 Welden of Hardin, Chair; Schroeder of Pottawattamie and Doyle of Woodbury.

Welden of Hardin, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported the committee had performed its duty. The report of the committee 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 of the Senate to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

PIONEER LAWMAKERS
(HOUSE CHAMBER — 1:30 p.m.)

In accordance with House Concurrent Resolution 7, duly adopted, the joint convention was called to order, President Branstad presiding.

President Branstad announced a quorum present and the joint convention duly organized.

Senator Hultman of Montgomery moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Senator Miller of Marshall, Senator Miller of Des Moines and Representative Stromer of Hancock and Representative Cochran of Webster.

The committee escorted the Pioneer Lawmakers to the well of the House chamber.

President Branstad presented Senator W. R. Bill Hansen, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE HOUSE AND
THE SENATE, PIONEER LAWMAKERS, HONORED GUESTS, LADIES
AND GENTLEMEN

We are in a point of time where it may be a dubious distinction to be a politician, for after all, one week you may be on the cover of Time and the next week serving. But today we have paused for a moment in time to resort to a little history and nostalgia and with particular deference to the new class of Pioneer Lawmakers.

So I thought I might start out by saying one score and 98 days ago, our forefathers brought forth to the state legislature 47 new freshmen, conceived as members of the 58th General Assembly and dedicated to the proposition that 33 Republicans in the Senate and 60 in the House gave that party a majority, though the slimmest since 1937. The gains of the minority party were significant, but the attention really focused on the re-election of Governor Herschel Loveless at that time, who in doubling his 1956 margin, had become the first of his party in 22 years and the second since 1894 to succeed himself in that particular office. The electorate also in that particular year gave him a Lieutenant Governor of his own party, Edward J.

McManus, and he was given to the Governor for companionship. The new Lieutenant Governor soon learned that that was the scope of his office. Senator Jack Schroeder — then at the tender age of 33, was to hold firm rein over the Senate Chambers, and it is interesting to observe that as you come here to join us today, that transfer of powers has once again been accomplished, but this time it has moved from the Majority Leader back to the Lieutenant Governor.

Allow me just in my brief moments here to make some comparisons between the new class of 1959 and the 1979 general assemblies. Each convened with 47 freshmen legislators. The average age of your particular general assembly at that time was 50.8 years of age, and the current legislature is slightly younger, 45.6. One of the interesting contrasts lies with the vocational background differences, for in your 1959 session farmers dominated the membership, followed by lawyers, then businessmen and 4th place by livestock farmers. In the current session, businessmen dominate with 2nd place going to farmers and, alarmingly, in the minds of some people, 3rd place goes to "full-time" legislators and lawyers are for once in 4th position.

While you breezed through your session in 116 days, annual sessions have pushed us close to the 300 day mark this decade. Some of the results have been:

That the number of bills confronting our legislature today has almost doubled the number that you had in your biennial session even though the number of bills that we pass has only increased by 25%.

One of the results of this is that the 1979 Code is 40% larger than the Code of Iowa that you worked with in 1959.

We have increased the cost of the legislature itself by 10 fold, even though we've only increased the cost of the state budget — increased the total state budget by 5 fold since the time that you were here.

All of this has helped to bring about the advent of full-time legislators, and an increase of legislative staff.

So you see, it's a kind of different legislature today that looks to staffers for recommendations, computer runs for comparisons, interim meetings for solutions, adjournment procedures for salvation, no-smoking rules for protection, disclosure rules for sanctification, lobbying rules for purification and it is so busy with edification that it seldom has time to ponder ramifications and frequently resorts to procrastination.

You public servants of the past labored without these innovative "wonders" of the seventies and yet brought forth an end product that served the present without strangling the future. There is much that we can learn from reading your records of achievements while observing your methods which you followed; and your presence here today causes us to focus on your accomplishments and to pay tribute to each of you for your dedicated life in public service. We welcome you back to your legislative home.

President Branstad presented Representative William H. Harbor, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House as follows:

It is indeed a pleasure and an honor, both as a Representative and as a member of Pioneer Lawmakers, to welcome you, on behalf of the House, to this biennial event.

If one could recapture some of the utterances that still ring in these halls, some of the statements you made about various proposals, draining the coffers of the state, concerns about Iowa's future, they would undoubtedly sound familiar to those members who wrestle with these problems of today, and in this light I would like to deviate for just a moment to speak about two of those problem solvers who were both appropriations chairmen.

The appropriation chairman my first session here, was a man to whom we have dedicated this year's Pioneer Lawmakers Day, the Honorable Gus Keister of Griswold. He is now ninety-seven, very alert, and is a man who was always concerned about appropriations and state spending, calling to our attention that we were scraping the bottom of the barrel. I can well remember in 1955 when he made fervent pleas here on the floor that we were going to break the state by virtue of going to the \$200,000,000 budget figure.

The other gentleman I allude to—to point out to the younger members of the legislature how things are accomplished—is the appropriations chairman the years that I was Speaker, none other than John Camp of Clinton County. I can well remember the last night of our last session in which John was the one who could trade and trade well. As you know, the rules of the Senate called for a coat and tie. John put a blue bill jacket in every pocket he had, enough so that every bill could be seen, marched right down the middle of the Senate chamber and put his arms right up on the desk, which was contrary to the ethics of the Senate chamber. One of the Senators at that time called attention to the fact that there was a man in the chamber who had neither coat nor tie on and should he not be removed? The Lieutenant Governor immediately called attention to the fact that in each pocket was a bill that the Senate needed and that he was trying to tell the Senate something. He did, and we soon adjourned.

One might state that the concerns essentially remain the same, just the characters change. The statement that "one's life, freedom, and property remain in jeopardy while the legislature is in session," first stated in the late 1700's, just proves that all generations have their concerns and apprehensions.

Now, to those of you whose responsibility is to meet the needs of our beloved state, you see here before you the young Turks and mavericks of yesteryear. With them you have much in common, for it was their dream, as it is yours, to make Iowa a still better place to live and to continue our star as the envy of all other states.

So, to you assembled here for this occasion, we extend to you a hand of welcome and God speed to you.

President Branstad presented the Honorable Dave Shaff who responded to the welcome.

Mr. Shaff addressed the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE SENATE AND MEMBERS OF THE HOUSE, LADIES AND GENTLEMEN:

On behalf of the Pioneer Lawmakers, may I express appreciation for the welcome which has been extended to us on behalf of the House and the Senate.

Our presence today may serve to remind you that you have been preceded by others who have some understanding of the problems that you face, and as former legislators, we form a cadre of Iowa citizens supporting you in your endeavors.

You know, as do we, that in the ultimate performance of your duties, partisanship must be subordinated to that quality of legislative performance which will provide sound legislation for the problems of today together with an enduring farsightedness for the years that lie ahead.

You are indeed the stewards of the state and not only do you have the responsibility for good management today, but the obligation to make sure that you leave the condition of the state in at least as good a condition as it existed when you assumed your responsibilities.

You also know that from these legislative halls will come much of Iowa's leadership in state and national offices in all branches of government. In the state and the nation's interest, it is imperative that the most able among you should seek and assume those obligations.

As pioneer legislators, we cherish the opportunity to briefly recall the battles that have been won and lost here, the experiences to be remembered for a lifetime, and friendships that will endure always.

Mr. Shaff recognized the Honorable George O'Malley and requested he escort to the well of the House for recognition Mr. Donald J. Reid, Managing Director of the Iowa Press Association, who by a unanimous resolution duly adopted, was awarded honorary membership in the Pioneer Lawmakers Association.

President Branstad then presented the Honorable William C. Stuart, Chief Judge, Southern District of Iowa and former State Senator, who addressed the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE SENATE AND MEMBERS OF THE HOUSE, FORMER LEGISLATORS AND OTHER GOVERNMENT OFFICIALS, LADIES AND GENTLEMEN:

Last night, as I began collecting my thoughts for my remarks today, I had difficulty accepting the fact that 18 years have passed since I last stood in the chamber across the rotunda as a matter of right rather than here by invitation. However, upon reflecting on all that has happened in the world, this county, our state and my own life in the interim, it became clear that it was indeed that long ago.

When my wife, Elgin, myself and our three children made Des Moines our home in 1955 during the 56th General Assembly, our oldest son, who has been teaching and coaching for eight years, was in kindergarten. Our youngest child who will graduate from college this spring was two years away from the planning stage. How can all of this happen in that short a period of time and yet all of the people I see out here and myself remain so young and vital. It's amazing.

I do not intend to dwell upon the changes that have occurred over the past 20 to 30 years, we are all aware of them and it would serve no purpose to point out the obvious. Suffice to say, life in general and legislative life in particular, was much simpler then. During my 10 years in the Senate our salaries doubled, from \$1,000 to \$2,000 dollars a session. We met every other year and stopped the clock at the end of the 100th day. The old cliché of the cynics of the time was that the legislature met every two years for 100 days and everyone would be better off if it met every 100 years for two days. I wonder what those who thought there was too many laws in those days would think of the way we are regulated, controlled and restricted by legislation and court made law today.

In those days legislators could go out for a drink and dinner with a legislative representative or lobbyist and listen to his position on pending legislation without feeling, or having it insinuated, that he had sold his soul and his honor for a mess of prime rib. It never even entered our minds that our hosts would feel they could buy our vote by what was taken as little more than common courtesy. We were giving them time to express their point of view and it was a way for them to reciprocate. I don't believe that our constituents thought so little of our integrity that they questioned the propriety of our conduct.

As a lawyer in which adversary positions was a part of my way of life, I felt more comfortable in deciding how to vote after having heard advocates express their differing points of view. I felt the system worked pretty well then.

We were more relaxed. I feel we enjoyed the legislative sessions more than you do now, but that does not mean we did not work hard and conscientiously. I just thumbed through the session laws and picked out some of the important major changes made during my 10 years in the legislature. Most of them seem commonplace now, but most involved hard fought battles. Each one is a story in and of itself but I will go through them hastily. I am sure the mention of these acts will bring to mind many stories to the pioneer lawmakers.

In 1953 the 55th General Assembly legalized the sale of colored oleomargarine, passed initial legislation to eradicate Bangs disease and prohibited the feeding of raw garbage to hogs. We passed the motor vehicle certificate of title act and required school reorganization with a 300 pupil minimum. We abolished the bankrupt public employees' pension system, placed public employees under social security and created a fully funded supplemental system IPERS.

In 1955 the 56th General Assembly created the Legislative Research Bureau, County Extension Districts and the office of Judicial Statistician. We authorized municipal transit systems, toll and controlled access roads. We conformed the Iowa income tax to the federal return and inaugurated full hearings for the Board of Regents on their appropriations.

In 1957 we required all areas of the state to be in a high school district, provided for regulation of water resources, nursing homes and key clubs, and the manufacture and sale of fertilizer. We created the Board of Pharmacy Examiners. We authorized the investment of public funds at interest, passed the enabling act for urban renewal and a comprehensive recodification of motor and special fuel safety laws and tax.

In 1959 the 58th General Assembly passed for the first time the Constitutional Amendment relating to the selection and tenure of judges, passed the Business Corporation Act and recodified Building and Loan laws, created the agricultural marketing divisions and the offices of County Assessor and Medical Examiner. We made major revisions in the Workmen's Compensation Act and authorized the Board of Regents to borrow money for self-liquidating buildings.

In 1961 the 59th General Assembly created new congressional and legislative districts, passed a constitutional amendment to reapportion the legislature, a comprehensive boating registration and regulation act, enacted enabling legislation for low rent housing and made the Oak tree the state tree.

I have used too much time reminiscing because I do have a serious concern that I want to share with you, because of your interest in government and this country. As a former legislator and a judge, I fear that the blurring of the line between legislation and court decisions has started us on a path that could endanger our constitutional system of government. The responsibility for this trend must be shared by the legislative bodies and the courts because of the failure of legislatures to respond to society's need and the willingness of the courts to fill the vacuum.

In 1954 the Supreme Court in *Brown v. Board of Education* overruled the court created doctrine of "separate but equal schools" and held that it was unconstitutional to operate racially segregated schools. This obviously correct decision was well within the constitutional functions of the court as was the negative mandate "don't operate segregated schools" and the affirmative order to make the change "with all deliberate speed". However, as the years passed and the states with segregated school systems either ignored the mandate or used dilatory tactics to evade it, the courts found it necessary to take the initiative and prescribe affirmative plans to give meaning to the Supreme Court's broad pronouncements. Because of the eminent rightness of the cause, presidents, congress and the people generally accepted the courts' assumption of this power.

As other branches of federal, state and local governments failed to respond responsibly to needs of the citizens as perceived by society and the courts, the courts began making policy decisions on political and social issues basing the authority on the principle that various constitutional rights were being violated. As the areas that were opened up in this manner were without statutory guidance, broad pronouncements by the courts were not enough. The opinions began to include guidelines which could give some direction to the litigants as to the path they must follow under the court decision.

In one-man one-vote cases, courts have required state and local governments to reconstitute their various representative legislative bodies. In many cases courts have spelled out specific affirmative relief. For example, the courts in some states, including Iowa, used a computer to formulate their own redistricting plans.

Under decisions based on the Equal Protection Clause of the Constitution, governments and institutions have been required to revamp programs and reallocate funds. Courts have required the expenditure of large sums of money for the education of the handicapped and construction of various facilities. The busing decisions have not only dictated policy within a school district but in some instances have mandated the crossing of district lines.

In holding that certain conditions of confinement constitute cruel and unusual punishment, the courts have placed strict limitations on the authority of prison officials and specified affirmative changes that have required state and local governments to spend substantial sums.

Under the due process clause, the courts have set hearing requirements for the disciplining of students or prisoners and the disciplining and discharge of teachers, and employees.

It is my feeling that the courts have had a tendency to intrude into the administrative details in the operation of hospitals, schools, prisons and governmental agencies.

These comments should not be taken to mean that I think the results were bad. Quite the contrary. Most of these cases have brought about changes that were long overdue. As Archibald Cox said in his book "The Role of the Supreme Court in American Government", and I quote:

"I would support nearly all these (rules) as important reforms if proposed in a legislative chamber or a constitutional convention. In appraising them as judicial rulings, however, I find it necessary to ask whether an excessive price was paid by enlarging the sphere and changing the nature of constitutional adjudication."

Chief Justice Warren Burger has expressed concern about the dangers of using the courts to bring about social change stating:

"Young people who decide to go into the law primarily on the theory that they can change the world by litigation in the courts, I think, may be in for some disappointments—that is not the route by which basic changes in a country like ours should be made. That is a legislative and policy process, part of the political process. And there is a very limited role for the courts in this respect."

The point is that under our system of government it is not the prerogative of the court to make major policy decisions. Of course, the courts must, as Justice Holmes said "legislate interstitially" or between the tissues of legislation enacted by legislative bodies or the broad general principles of the constitution. Otherwise the Constitution and the law would not be viable and timely as intended.

Judicial improvisation transfers a substantial law-making power to the courts. Judges are ill-suited to law making because judicial authority depends, in part, upon aloofness from the political arena. Judges, who should be beholden to no one for their conscientious conduct, lack the everyday responsibility to the electorate that is the real basis of workable reform. Nor do judges have the background or experience to evaluate the effect of a particular decision on related procedures or problems. Judicial

activism also erodes the legislative process, because it tends to relieve legislators from accountability for social reconstruction and constitutional propriety.

As a fourth generation lawyer, I have lived all my life in an atmosphere of respect for the law and pride in the way our judicial system has functioned and the quality of the justice it has produced. I have viewed the Constitution and its adaptability to changing times with awe, if not reverence. It has been disheartening to me and demeaning to the Constitution to have it used to decide such inconsequential matters as the right to wear long hair, or an arm band in school, the right to have an obscenity displayed on your jacket, or the right to play five rather than six girl's basketball. I know it can be argued that these are important individual rights and they are which the courts should vindicate but I agree with Judge Adams when he said:

"Too frequent invocation of the Constitution tends to debase it. Popular respect for judicial decisions stems, to a considerable extent, from the belief that the decision represent the practical application of neutral principles of adjudication. But frequent recourse to the Constitution may render it a convenient weapon for partisan debate, and may cast judges in the role of interested manipulators of that document. If that is to be the status of the Constitution and the courts, it becomes more difficult to see them as arbiters in time of crisis and guardians of liberty in time of need."

When the courts blur the distinctions between its duties and that of the other branches of government and the states by broad pronouncements of a constitutional right unaccompanied by an examination of the ramifications of that pronouncement on other areas, which examination is part of the legislative process, they damage our philosophy of separation of powers. It may be a compliment to the judiciary that many well-meaning people feel that judges rather than politicians will provide timely solutions to pressing social problems, but it is not in accordance with our democratic principles.

The judicial system of this democracy may succumb to an erosion of confidence from its assumption of legislative power it is not suited to exercise. I do not believe that it is merely coincidental that the drop in public confidence in the courts has accompanied their increased involvement in policy matters. We need more thought and greater sophistication about the kinds of issues that can be profitably referred to formal legal process and the kinds that ought to be left to other processes. If dissatisfaction with the function of the legal system reaches the stage where it and its decision do not command the respect of a substantial portion of the citizenry, it and our democracy are both in danger.

No society can be healthy and effective if all its disputes are drawn into legal processes. The spread of law throughout human relations signals not only a decline of individual freedom but also a withering of community, traditional modes of accommodation and informal authority. A healthy society requires that there be considerable play in human relations, a degree of trust in the good faith of others, confidence that things can be worked out tolerably, a willingness not to insist on every "right" one may think one should ideally possess, and a large amount of self-reliance. The attempt to define all the rights of individuals and enforce them by legal processes signifies the diminution or disappearance of these virtues. The increasing legalization of our culture is a sign of the deterioration of that culture.

Should law in its present form fail us, it will ultimately be replaced by other forms of law. What is at stake then is not law itself, but rather democratically made law allowing for a wide scope of individual freedom. That is worth preserving.

Halvorson of Clayton moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Perkins of Greene, for the remainder of the day, on request of Brandt of Black Hawk.

BUSINESS PENDING

The House resumed consideration of Senate File 442, a bill for an act relating to the distribution of earnings of corporations which are cooperative associations.

Howell of Floyd offered the following amendment H—3972 filed by him and moved its adoption:

H—3972

- 1 Amend Senate File 442 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 25, by striking the words "of
- 4 deceased members".

A non-record roll call was requested.

The ayes were 25, nays 50.

Amendment H—3972 lost.

Ritsema of Sioux offered the following amendment H—3966 filed by him and moved its adoption:

H—3966

- 1 Amend Senate File 442 as follows:

- 2 1. Page 2, by striking lines 12 through 14, and
 3 inserting in lieu thereof the following: "six point one
 4 (476.1) of the Code,".
 5 2. Page 2, line 16, by striking the word "stock,"
 6 and inserting in lieu thereof the word "stock".
 7 3. Page 2, by striking lines 22 through 24, and
 8 inserting in lieu thereof the following: "one (476.1)
 9 of the Code may pay deferred".
 10 4. Page 2, line 25, by striking the comma.
 11 5. Page 2, line 27, by inserting after the word
 12 "stock" the word "of".

Amendment H—3966 lost.

Hansen 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?" (S. F. 442)

The ayes were, 73:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Danker	Davitt	De Groot
Dieleman	Doyle	Egenes	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Norland	Patchett	Pavich
Pelton	Pope	Ritsema	Schneklloth
Schroeder	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welsh	West
Mr. Speaker			

The nays were, 14:

Anderson, J.	Binneboese	Conlon	Diemer
Evans	Gettings	Hanson, D.	Howell
Hummel	Husak	Miller	O'Kane
Pellett	Sherzan		

Absent or not voting, 13:

Byerly	Chiodo	Daggett	Lind
Oxley	Perkins	Poffenberger	Rapp
Shimanek	Smalley	Welden	Wells
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED

Hansen of O'Brien moved to reconsider the vote by which Senate File 442 passed the House on April 19 and to table the motion to reconsider.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 58, nays 27.

The motion prevailed.

Senate File 448, a bill for an act authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of financing projects for the use of a state of Iowa institution under the board of regents, with report of committee recommending passage was taken up for consideration.

Dieleman of Marion offered the following amendment H-3705 filed by him and Bina of Scott:

H-3705

- 1 Amend Senate File 448 as amended and passed by
- 2 the Senate as follows:
- 3 1. Page 1, line 21, by inserting after the word
- 4 "or" the words "of any commercial enterprise engaged
- 5 in providing cable television or".
- 6 2. Amend the title, line 4, by inserting after
- 7 the word "regents" the words "or for the use of a
- 8 commercial enterprise engaged in providing cable
- 9 television".

West of Marshall rose on a point of order that amendment H—3705 was not germane.

The Speaker ruled the point well taken and amendment H—3705 not germane.

Dieleman of Marion moved to suspend the rules for the consideration of amendment H—3705.

A non-record roll call was requested.

The ayes were 33, nays 48.

The motion lost.

Jesse of Polk offered the following amendment H—3988 filed by him and moved its adoption:

H—3988

1 Amend Senate File 448 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 15, by inserting after the word
4 "chapter." the following:
5 "However, the state board of regents shall not
6 agree to commit the revenue generated by any project
7 for a state of Iowa college or university financed
8 under this chapter to the retirement of bonds issued
9 under this chapter without first receiving the
10 approval of a constitutional majority of each house
11 of the general assembly."

A non-record roll call was requested.

The ayes were 34, nays 44.

Amendment H—3988 lost.

Bina of Scott offered the following amendment H—3879 filed by Bina, et al.:

H—3879

1 Amend Senate File 448 as amended and reprinted
2 by the Senate as follows:
3 1. Page 4, by inserting after line 12 the

4 following:

5 "Sec. The legislative council shall establish
6 a joint interim study committee consisting of ten
7 members of the standing committees on cities, five
8 from the house and five from the senate of both
9 political parties, to be appointed by the respective
10 chairpersons of the house and senate standing
11 committees on cities. The joint interim study
12 committee shall review state statutes as they apply
13 to the issuance of revenue bonds by the state of Iowa,
14 its agencies, cities, counties and other subdivisions
15 and identify existing problems and recommend
16 appropriate changes to remedy those existing problems.
17 The joint interim study committee shall report its
18 findings and recommendations, accompanied by any bill
19 drafts, to the Sixty-eighth General Assembly in January
20 of 1980.

21 The members of the joint interim study committee
22 shall receive per diem and expenses at the same rate
23 as provided for members of the general assembly
24 pursuant to subsection six (6) of section two point
25 ten (2.10) of the Code."

26 2. By numbering or renumbering as required by
27 this amendment.

28 3. Amend title, line 4, by inserting after the
29 word "regents" the words "and establishing a joint
30 interim study committee to review the state statutes
31 as they apply to the issuance of revenue bonds".

West of Marshall rose on a point of order that amendment
H-3879 was not germane.

The Speaker ruled the point well taken and amendment
H-3879 not germane.

Bina of Scott offered the following amendment H-3768 filed by
him and moved its adoption:

H-3768

1 Amend Senate File 448 as amended and reprinted by
2 the Senate as follows:

3 1. Amend the title, line 4, by inserting after the
4 word "regents" the words "or retiring existing
5 indebtedness incurred by a person or a private or
6 state of Iowa college or university to finance a
7 project for the use of a private or state of Iowa
8 college or university".

Amendment H-3768 lost.

West of Marshall 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. 448)

The ayes were, 73:

Anderson, J.	Anderson, R.	Avenson	Bennett
Brandt	Branstad	Bruner	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Lura	McKean	Miller	Mullins
Norland	O'Kane	Pavich	Pellett
Pelton	Pope	Rapp	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tyrrell	Welsh	West	Woods
Mr. Speaker			

The nays were, 17:

Bina	Binneboese	Conlon	De Groot
Dieleman	Hinkhouse	Husak	Jesse
Krewson	Lonergan	Maulsby	Menke
Ritsema	Tofte	Van Maanen	Walter
Welden			

Absent or not voting, 10:

Arnould	Byerly	Crabb	Lind
Oxley	Patchett	Perkins	Poffenberger
Smalley	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Halvorson of Clayton asked and received unanimous consent to place the following bills on the unfinished business

calendar: Senate Files 172, 286, 264, 432, 204, 436, 475, 114, 278, 361, 314, 159, 230, 163, 121, 423, 426, 382, 437, and 235 and House Files 498, 692, and 681.

Halvorson of Clayton asked and received unanimous consent to take up out of order Senate File 93.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Smalley of Polk, for the remainder of the day, on request of Daggett of Taylor; Wells of Linn and Oxley of Linn on request of Halvorson of Clayton.

UNFINISHED BUSINESS CALENDAR

Senate File 93, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists, with report of committee recommending passage was taken up for consideration.

Thompson of Polk offered the following amendment H-3910 filed by her and Horn of Linn and moved its adoption:

H-3910

- 1 Amend Senate File 93 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking all after the enacting clause and
- 4 inserting in lieu thereof the following:
- 5 "Section 1. The state department of health shall
- 6 undertake a study of the possible use of cycloplegics,
- 7 mydriatics and topical anesthetics by optometrists.
- 8 The study shall examine the potential consequences
- 9 of the proper and improper use of these diagnostic
- 10 agents topically applied, the experience of other
- 11 states authorizing the use of these diagnostic agents
- 12 by optometrists, and the extent of training or
- 13 education which should be required by optometrists
- 14 to ensure the proper use of these diagnostic agents.
- 15 The state department of health shall submit its
- 16 findings and recommendations to the general assembly
- 17 prior to the convening of the next regular session."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 24, nays 64.

Amendment H-3910 lost.

Clark of Cerro Gordo offered the following amendment H—3711 filed by her:

H—3711

- 1 Amend Senate File 93 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 5 and 6 and inserting
- 4 in lieu thereof the following: "may employ one-half
- 5 percent and one percent tropicamide (mydriacyl), two
- 6 and one-half percent neosynephrine and proparacaine
- 7 (ophthaine) only as diagnostic agents topically applied
- 8 to determine the".

Clark of Cerro Gordo offered the following amendment H—4001, to amendment H—3711, filed by her from the floor and moved its adoption:

H—4001

- 1 Amend amendment H—3711 to Senate File 93 as
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 6, by inserting after the
- 4 second word "and" the words "one-half percent".

Amendment H—4001 was adopted.

The following amendment H—4006, to amendment H—3711, filed by Clark of Cerro Gordo from the floor was adopted by unanimous consent:

H-4006

- 1 Amend amendment H—3711 to Senate File 93,
- 2 as amended, passed and reprinted, by the Senate,
- 3 as follows:
- 4 1. Page 1, line 5, by striking the word "and"
- 5 and inserting in lieu thereof the word "or".

Clark of Cerro Gordo moved the adoption of amendment H—3711, as amended.

Roll call was requested by Schroeder of Pottawattamie and Kirkenslager of Des Moines.

On the question "Shall amendment H-3711, as amended, be adopted?"

The ayes were, 34:

Anderson, J.	Brandt	Branstad	Bruner
Chiodo	Clark, B.J.	Corey	Crabb
Crawford	Cusack	Danker	Evans
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Holt	Horn	Howell	Hummel
Jay	Johnson, R.	Kirkenslager	Lloyd-Jones
Lorenzen	Lura	Miller	Norland
Schroeder	Thompson	Tofte	Van Maanen
Walter	Welden		

The nays were, 52:

Anderson, R.	Arnould	Bennett	Bina
Binneboese	Cochran	Conlon	Connolly
Connors	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Groth
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hoffmann
Hullinger	Husak	Jesse	Jochum
Johnson, J.	Johnson, W.	Krewson	Lageschulte
Larsen	Lonergan	Maulsby	McKean
Menke	Mullins	Pavich	Pellett
Pelton	Pope	Rapp	Ritsema
Schnekloth	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Tyrrell
Welsh	West	Woods	Mr. Speaker

Absent or not voting, 14:

Avenson	Byerly	Clark, J.H.	Daggett
Gettings	Harbor	Lind	O'Kane
Oxley	Patchett	Perkins	Poffenberger
Smalley	Wells		

Amendment H-3711, as amended, lost.

Brandt of Black Hawk offered the following amendment H-3877 filed by her and moved its adoption:

H-3877

- 1 Amend Senate File 93 as amended, passed and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, by striking lines 5 and 6 and insert-
- 4 ing in lieu thereof the words "may typically apply
- 5 those diagnostic agents which the state department

6 of health by rule approves for use by certified
7 licensed optometrists to determine the”.

A non-record roll call was requested.

The ayes were 37, nays 48.

Amendment H—3877 lost.

Kirkenslager of Des Moines offered the following amendment
H—3896 filed by him and moved its adoption:

H—3896

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking line 5 and inserting in
4 lieu thereof the words “may employ cycloplegics and
5 mydriatics”.

Roll call was requested by Kirkenslager of Des Moines and
Chiodo of Polk.

On the question “Shall amendment H—3896 be adopted?”

The ayes were, 32:

Binneboese	Brandt	Branstad	Chiodo
Clark, B.J.	Connors	Corey	Crawford
Danker	Evans	Gettings	Hall
Hibbs	Hinkhouse	Holt	Hummel
Jay	Johnson, R.	Kirkenslager	Lageschulte
Lloyd-Jones	Lorenzen	Maulsby	Norland
Pellett	Schroeder	Sherzan	Thompson
Tofte	Van Maanen	Walter	Welden

The nays were, 55:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Bruner	Cochran	Conlon
Connolly	Crabb	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenès	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hoffmann
Horn	Howell	Hullinger	Husak
Jochum	Johnson, J.	Johnson, W.	Krewson
Lonergan	Lura	McKean	Menke
Miller	Mullins	O’Kane	Pavich

Pelton	Pope	Rapp	Ritsema
Schnekloth	Shimanek	Shull	Spear
Stromer	Swearingen	Tyrrell	Welsh
West	Woods	Mr. Speaker	

Absent or not voting, 13:

Avenson	Byerly	Clark, J.H.	Harbor
Jesse	Larsen	Lind	Oxley
Patchett	Perkins	Poffenberger	Smalley
Wells			

Amendment H—3896 lost.

West of Marshall offered the following amendment H—3927 filed by him and Byerly of Polk and moved its adoption:

H—3927

- 1 Amend Senate File 93 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, lines 8 and 9, by striking the words
- 4 "licensed medical or osteopathic physician" and
- 5 inserting in lieu thereof the words and figures "person
- 6 licensed under chapter one hundred forty-eight (148)
- 7 or one hundred fifty A (150A) of the Code."
- 8 2. Page 2, line 28, by striking the word
- 9 "physicians" and inserting in lieu thereof the words
- 10 and figures "persons licensed under chapter one hundred
- 11 forty-eight (148) or one hundred fifty A (150A)
- 12 of the Code".

Amendment H—3927 was adopted.

Hinkhouse of Cedar asked and received unanimous consent to withdraw amendment H—3688 (to page 1) filed by him on April 2, 1979 placing out of order amendment H—3958 (to amendment H—3688) filed by Lura of Marshall on April 18, 1979.

Thompson of Polk offered the following amendment H—3952 filed by Thompson, et al., and moved its adoption:

H—3952

- 1 Amend Senate File 93 as amended and passed
- 2 by the Senate as follows:
- 3 1. Page 1, line 29, by inserting after the
- 4 word "eye" the following: "and the recognition of

5 symptoms of diseases of the human body manifest in
6 the eye".

7 2. Page 2, line 7, by inserting after the
8 word "eye" the following: "and the recognition of
9 symptoms of diseases of the human body manifest in
10 the eye".

11 3. Page 2, line 19, by inserting after the
12 word "eye" the following: "and the recognition of
13 symptoms of diseases of the human body manifest in
14 the eye".

A non-record roll call was requested.

The ayes were 32, nays 50.

Amendment H—3952 lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3944 (to page 1) filed by him on April 17, 1979.

Schroeder of Pottawattamie offered the following amendment H—3949 filed by him:

H—3949

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 32, by inserting after the word
4 "education." the words "A person shall not be licensed
5 as an optometrist after the effective date of this
6 Act unless that person is certified to use diagnostic
7 agents as provided in this Act."

Stromer of Hancock rose on a point of order that amendment H—3949 was not germane.

The Speaker ruled the point well taken and amendment H—3949 not germane.

Lura of Marshall asked and received unanimous consent to withdraw amendment H—3892 (to page 1) filed by him on April 12, 1979.

Lorenzen of Scott offered the following amendment H—3938 filed by him:

H-3938

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 22 the follow-
4 ing: "A temporary board on the optometric use of
5 diagnostic pharmaceutical agents shall be appointed
6 by the commissioner of public health and exist until
7 the board of optometry examiners includes three
8 certified licensed optometrists. The board shall
9 consist of two licensed pharmacists, two licensed
10 optometrists, two persons licensed under chapter one
11 hundred forty-eight (148) or one hundred fifty A
12 (150A) of the Code. The board shall review, approve
13 and grade the examinations and the sufficiency of
14 the training required by this Act of persons seeking
15 to become certified licensed optometrists."
16 2. Page 2, by inserting after line 29 the
17 following:

18 "Sec. 4. Section one hundred forty-seven point
19 fourteen (147.14), subsection six (6), Code 1979,
20 is amended to read as follows:
21 6. For optometry examiners, five members licensed
22 to practice optometry three of whom shall be certified
23 licensed optometrists by July 1, 1986 and two members
24 who are not licensed to practice optometry and who
25 shall represent the general public. A majority of
26 the members of the board shall constitute a quorum."
27 3. By renumbering the sections to conform with
28 this amendment.

Dieleman of Marion rose on a point of order that amendment
H-3938 was not germane.

The Speaker ruled the point well taken and amendment
H-3938 not germane.

Kirkenslager of Des Moines offered the following amendment
H-3950 filed by him and moved its adoption:

H-3950

1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, by inserting after line 22 the
4 following:
5 "Sec. 3. Chapter one hundred fifty-four (154),
6 Code 1979, is amended by adding the following new
7 section:

- 8 NEW SECTION. A certified licensed optometrist
 9 shall immediately refer a patient to a licensed medical
 10 physician or osteopathic physician and surgeon if
 11 the patient has a visual acuity not correctable beyond
 12 twenty-fourty or an abnormal condition of the eye."
 13 2. By renumbering the sections to conform with
 14 this amendment.

Roll call was requested by Schroeder of Pottawattamie and Kirksenslager of Des Moines.

On the question "Shall amendment H—3950 be adopted?"

The ayes were, 34:

Anderson, J.	Binneboese	Branstad	Chioldo
Clark, B.J.	Connolly	Connors	Corey
Crawford	Danker	Gettings	Hall
Hanson, D.	Harbor	Hinkhouse	Holt
Horn	Husak	Jay	Johnson, R.
Kirksenslager	Lloyd-Jones	Lorenzen	Lura
Maulsby	Norland	Pavich	Pellett
Schroeder	Thompson	Tofte	Van Maanen
Walter	Weiden		

The nays were, 58:

Anderson, R.	Arnould	Bennett	Bina
Brandt	Bruner	Clark, J.H.	Cochran
Conlon	Crabb	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Groth
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hibbs
Hoffmann	Howell	Hullinger	Hummel
Jesse	Jochum	Johnson, J.	Johnson, W.
Krewson	Lageschulte	Larsen	Loneragan
McKean	Menke	Miller	Mullins
O'Kane	Patchett	Pelton	Pope
Rapp	Ritsema	Schneklath	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Tyrrell	Welsh	West
Woods	Mr. Speaker		

Absent or not voting, 8:

Avenson	Byerly	Lind	Oxley
Perkins	Poffenberger	Smalley	Wells

Amendment H—3950 lost.

Johnson of Woodbury asked and received unanimous consent to withdraw amendment H—3719 (to page 2) filed by him on April 4, 1979.

Chiodo of Polk offered the following amendment H—3916 filed by him and Kirkenslager of Des Moines:

H—3916

- 1 Amend Senate File 93 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 3, by inserting after the word
- 4 "Act" the words ", other than controlled substances
- 5 as defined in chapter two hundred four (204) of the
- 6 Code".
- 7 2. Page 3, by inserting after line 13 the
- 8 following:
- 9 "The provisions of this Act shall not apply to
- 10 nor authorize the possession or dispensing of
- 11 controlled substances as defined in chapter two hundred
- 12 four (204) of the Code by certified licensed
- 13 optometrists."

Stromer of Hancock rose on a point of order that amendment H—3916 was not germane.

The Speaker ruled the point not well taken and amendment H—3916 germane.

Chiodo of Polk moved the adoption of amendment H—3916.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 45, nays 46.

Amendment H—3916 lost.

The motion to reconsider the vote by which amendment H—3910 failed to be adopted by the House on April 19, 1979, filed by Lura of Marshall from the floor, was called up for consideration.

Lura of Marshall asked and received unanimous consent to withdraw the motion to reconsider amendment H—3910.

The motion to reconsider the vote by which amendment H—3877 failed to be adopted by the House on April 19, 1979, filed by Thompson of Polk from the floor was called up for consideration.

Thompson of Polk asked and received unanimous consent to withdraw the motion to reconsider amendment H—3877.

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. 93)

The ayes were, 67:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Bruner	Chiodo
Clark, J.H.	Cochran	Conlon	Connolly
Crabb	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, W.	Krewson	Lageschulte
Larsen	Loneran	Lura	McKean
Menke	Miller	Mullins	Patchett
Pavich	Pellet	Pelton	Pope
Rapp	Ritsema	Schnekloth	Sherzan
Shimanek	Shull	Stromer	Swearingen
Tofte	Tyrrell	Welden	Welsh
West	Woods	Mr. Speaker	

The nays were, 25:

Brandt	Branstad	Clark, B.J.	Connors
Corey	Crawford	Danker	Gettings
Hall	Harbor	Hibbs	Hinkhouse
Jay	Johnson, R.	Kirkenslager	Lloyd-Jones
Lorenzen	Maulsby	Norland	O'Kane
Schroeder	Spear	Thompson	Van Maanen
Walter			

Absent or not voting, 8:

Avenson	Byerly	Lind	Oxley
Perkins	Poffenberger	Smalley	Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED

Stromer of Hancock asked for unanimous consent to immediately message Senate File 93 to the Senate.

Objection was raised.

Stromer of Hancock moved to reconsider the vote by which Senate File 93 passed the House on April 19, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 56, nays 32.

The motion prevailed.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 19th day of April, 1979: House Files 198, 304 and 499.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five students from the Intensive English and Orientation Program, Iowa State University, Ames, Iowa, representing fifteen countries. By Crawford of Story.

Seventy eighth grade students from Stockport Middle School, Stockport, Iowa, accompanied by Mrs. Watson. By Millen of Van Buren.

Twenty-eight twelfth grade students from Nesco Junior-Senior High School, Zearing, Iowa, accompanied by Mr. Roberts. By Egenes of Story.

Thirty senior students from Newell-Providence Community School, Newell, Iowa, accompanied by Bill Jones and Walt Spurbeck. By Groth of Buena Vista.

Thirty-four third grade students from Elma Elementary School, Elma, Iowa, accompanied by Joyce Hart, Dorothy Altfellisch and Robert Meyers. By Johnson of Howard.

Thirty-three fifth grade students from St. Theresa's School, Des Moines, Iowa, accompanied by Sue Krieger. By Krewson of Polk and Smalley of Polk.

Sixty-six Allamakee County 4-H Club members from Waukon, Iowa, accompanied by Rachel Moess. By Halvorson of Clayton.

One hundred sixth grade students from Parkview Elementary School, Ankeny, Iowa, accompanied by Mrs. Law, Mrs. Logli, Mr. Devitt and Mrs. Reiff. By Byerly of Polk.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday, April 18, as I was a speaker at a noon meeting of the Iowa Association of Financial Aid Directors. Had I been present, I would have voted "aye" on Senate File 269.

THOMPSON of Polk

I was attending the Mental Health Center's Association meeting with Representative Krewson on April 18. We were speaking to them on the contents of the mental health bill and discussing its likely future in the Senate. Had I been present, I would have voted "aye" on Senate File 269.

CUSACK of Scott

I was necessarily absent from the House chamber on Wednesday afternoon, April 18, 1979. Had I been present, I would have voted "aye" on House Files 736, 81, and Senate File 478; amendment

H-3833 and amendment H-3753 to House File 81 and "nay" on amendment H-3381 to House File 81.

DIELEMAN of Marion

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 237 Ways and Means

To legalize proceedings taken by the city of Calmar relating to the letting of certain contracts.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Study Bill 233, relating to membership in the Iowa state association of counties.

Recommended **Do Pass**.

Committee Bill (House File 714), a bill for an act to legalize proceedings taken by the City of Bellevue relating to the letting of certain contracts.

Recommended **Do Pass**.

AMENDMENTS FILED

H-3995	S.F. 135	Conlon of Muscatine
		Lura of Marshall
		Hanson of Delaware
		Walter of Pottawattamie
		Cusack of Scott
		Wells of Linn
		Hall of Linn
		Ritsema of Sioux
		Lorenzen of Scott
		Connors of Polk
		Smalley of Polk

H-3996	S.F. 230	Conlon of Muscatine
H-3997	H.F. 734	Avenson of Fayette
H-3998	S.F. 278	Horn of Linn
H-3999	H.F. 734	Avenson of Fayette
H-4000	S.F. 447	Thompson of Polk
		Smalley of Polk
H-4002	S.F. 183	Woods of Polk
H-4003	S.F. 98	Thompson of Polk
H-4004	S.F. 98	Clark of Cerro Gordo
		Pope of Polk
H-4005	S.F. 98	Smalley of Polk
		Thompson of Polk
H-4007	S.F. 401	Lonergan of Boone
H-4008	S.F. 278	Conlon of Muscatine
H-4009	S.F. 447	Howell of Floyd
H-4010	S.F. 401	Gettings of Wapello
H-4011	S.F. 401	Gettings of Wapello
H-4012	H.F. 738	Bina of Scott
H-4013	H.F. 738	O'Kane of Woodbury
H-4014	S.F. 203	Jesse of Polk
H-4015	S.F. 401	O'Kane of Woodbury
H-4016	S.F. 376	O'Kane of Woodbury
H-4017	S.F. 376	O'Kane of Woodbury
H-4018	S.F. 447	Hinkhouse of Cedar
H-4019	S.F. 447	Miller of Buchanan
		Hummel of Benton
H-4020	S.F. 447	Avenson of Fayette
H-4021	S.F. 447	Avenson of Fayette
H-4022	S.F. 464	Rapp of Black Hawk
H-4023	S.F. 447	Davitt of Warren
H-4024	S.F. 424	Shimanek of Jones
		Ritsema of Sioux
H-4025	S.F. 185	Groth of Buena Vista
H-4026	S.F. 447	Howell of Floyd
H-4027	S.F. 283	Schroeder of Pottawattamie
H-4028	S.F. 185	Jesse of Polk

On motion by Halvorson of Clayton the House adjourned at 5:55 p.m., until 9:00 a.m., Friday, April 20, 1979.

JOURNAL OF THE HOUSE

One Hundred Third Calendar Day—Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 20, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend William Granger, pastor of the Zion Lutheran Church, Rockford, Iowa.

The Journal of Thursday, April 19, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Good, Elgin, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Walter of Pottawattamie on request of Pavich of Pottawattamie; Perkins of Greene on request of Connors of Polk; Oxley of Linn and Wells of Linn on request of Hall of Linn; Byerly of Polk on request of Woods of Polk.

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 on April 18, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 337, a bill for an act amending section four hundred seventy-six point six of the Code to provide that the rate of interest payable by a public utility on amounts refunded to customers shall be not more than twelve percent per annum.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 632, a bill for an act relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax.

Also: That the Senate has on April 18, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 677, a bill for an act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

Also: That the Senate has on April 18, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 729, a bill for an act relating to the payment of claims for nonpublic school pupil transportation.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 719, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 723, a bill for an act relating to access to certain sealed records, for the purpose of locating county of adoption by an adult adopted person.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 725, a bill for an act to amend the certificate of need law enacted in 1977.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 632

H-4033

- 1 Amend House File 632 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 15 through 18 and
- 4 inserting in lieu thereof the following:
- 5 "A city or county shall impose a hotel and motel
- 6 tax or increase the tax rate, only after an election
- 7 at which a majority of those voting on the
- 8 questions favors imposition or increase. However,
- 9 a hotel and motel tax shall not".

SENATE AMENDMENT TO
HOUSE FILE 706

H-4032

- 1 Amend House File 706 as passed by the House
2 as follows:
3 1. Page 1, by striking lines 10 through 14.

SENATE AMENDMENT TO
HOUSE FILE 719

H-4031

- 1 Amend House File 719 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, lines 16 and 17, by striking the words
4 "over long periods of time".
5 2. Page 1, line 22, by striking the word
6 "significant" and inserting in lieu thereof the word
7 "substantial".
8 3. Page 2, line 20, by striking the words "The
9 commission shall" and inserting in lieu thereof the
10 following: "In the development of plans and programs,
11 the commission shall recognize the need for assuring
12 that suitable facilities and sites for treatment and
13 disposal are available for hazardous wastes generated
14 in Iowa."
15 4. Page 2, by striking lines 21 through 24.
16 5. Page 2, line 25, by striking the words "wastes."
17 6. Page 3, line 19, by inserting after the word
18 "commission" the words "and an estimate of the
19 potential cost in lives, health care costs, property
20 values, agricultural productivity, fish and wildlife
21 loss, and other costs associated with potential
22 environmental degradation which would be caused by
23 failing to implement the plan".
24 7. Page 4, by striking lines 2 through 8.
25 8. Page 5, by striking lines 18 through 22.
26 9. Page 6, by striking lines 24 through 29.
27 10. Page 11, by striking lines 18 through 22 and
28 inserting in lieu thereof the words "of the threat."
29 11. Page 12, by striking lines 5 through 15.
30 12. Page 12, line 18, by inserting after the
31 figure "(1979)" the words and figures "as amended
32 to March 15, 1979".
33 13. Page 12, by striking line 20 and inserting
34 in lieu thereof the word "sections."
35 14. Page 12, by striking lines 27 through 35.
36 15. Page 13, by striking lines 1 through 5 and
37 inserting in lieu thereof the words "acts at issue
38 occurred."
39 16. Renumbering as necessary.

SENATE AMENDMENT TO
HOUSE FILE 723

H-4030

- 1 Amend House File 723 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Striking page 1, line 21 through page 2, line
4 7.
- 5 2. Page 2, by striking lines 21 through 32 and
6 inserting in lieu thereof the following:
- 7 "4. A postplacement and a background information
8 investigation and the reports of these investigations
9 shall be completed and the reports filed with the
10 court prior to the holding of the adoption hearing
11 prescribed in section 600.12. Upon the filing of
12 an adoption petition pursuant to section 600.5, the
13 court shall immediately appoint the department, an
14 agency, or an investigator to conduct this
15 investigation and report. A copy of the background
16 investigation report shall, upon the request of an
17 adoption petitioner, be furnished to the petitioner
18 prior to the adoption hearing. Any person, including".
- 19 3. Page 3, by inserting after line 3 the following:
- 20 "Sec. . Section six hundred point sixteen
21 (600.16), subsection one (1), Code 1979, is amended
22 by adding the following new unnumbered paragraph:
- 23 NEW UNNUMBERED PARAGRAPH. Information regarding
24 an adopted person's complete medical and development
25 history and family medical history, which meets the
26 definition of background information in section six
27 hundred point eight (600.8), subsection one (1),
28 paragraph c of the Code, but which was compiled prior
29 to the effective date of that paragraph, shall be
30 made available as provided in this subsection.
31 However, the identity of the adopted person's natural
32 parents shall not be disclosed. The court shall order
33 the disclosure of this information from court records
34 or from the records of the department, agency, or
35 individual making the placement."
- 36 4. Page 3, line 4, by striking the word "January"
37 and inserting in lieu thereof the word "July".

SENATE AMENDMENT TO
HOUSE FILE 725

H-4029

- 1 Amend House File 725 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Striking page 1, line 1 through page 2, line

- 4 19.
5 2. Page 3, by striking line 20 through page 4,
6 line 1.
7 3. Page 4, lines 28 and 29, by striking the words
8 "two years after July 1, 1978" and inserting in lieu
9 thereof the words "after July 1, 1978 January 1,
10 1980".
11 4. Amend the title, lines 2 and 3, by striking
12 the words "by increasing the number of members of
13 the state health facilities council".
14 5. Amend the title, lines 6 and 7, by striking
15 the words "by providing for review of the council's
16 final decision by the commissioner of health".

SENATE MESSAGE CONSIDERED

Senate File 471, a bill for an act making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the department of revenue from the motor vehicle fuel tax fund and to the department of job service from the Iowa public employees' retirement system fund.

Read first time and referred to committee on **appropriations**.

ADOPTION OF HOUSE RESOLUTION 21

Pursuant to House Rule 31, the Speaker announced that House Resolution 21, congratulating the wrestling teams of Iowa's three state universities, filed on March 12, 1979 and found on page 884 of the House Journal, was adopted by unanimous consent.

TEMPORARILY DEFERRED

Halvorson of Clayton asked and received unanimous consent to temporarily defer and place at the end of the Daily Debate Calendar the following bills in the order listed: Senate Files 203, 98, 447 and 185.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 218, a bill for an act to legalize the proceedings of

the city of Alexander, Iowa in connection with the letting of certain contracts, with report of committee recommending passage was taken up for consideration.

Ritsema 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. 218)

The ayes were, 77:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Cannolly	Connors	Corey	Crabb
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura
McKean	Menke	Miller	Norland
Pavich	Pellett	Pelton	Rapp
Ritsema	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Woods
Mr. Speaker			

The nays were, 2:

Maulsby Sherzan

Absent or not voting, 21:

Anderson, R.	Brandt	Byerly	Chiodo
Crawford	Danker	Jay	Jesse
Johnson, R.	Lageschulte	Lind	Mullins
O'Kane	Oxley	Patchett	Perkins
Poffenberger	Pope	Walter	Wells
Welsh			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 347, a bill for an act to legalize proceedings taken by the board of supervisors of Lucas county relating to the sale of certain properties, with report of committee recommending passage was taken up for consideration.

Ritsema 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. 347)

The ayes were, 72:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Clark, B.J.	Conlon	Connolly
Connors	Corey	Crabb	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hummel
Husak	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lonergan	Lorenzen	Lura	McKean
Menke	Miller	Norland	O'Kane
Pavich	Pellet	Pelton	Rapp
Ritsema	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker

The nays were, 4:

Cusack	Maulsby	Schneklath	Sherzan
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Absent or not voting, 24:

Brandt	Byerly	Chiodo	Clark, J.H.
Cochran	Crawford	Danker	Evans
Howell	Hullinger	Jay	Jesse
Johnson, R.	Lind	Lloyd-Jones	Mullins
Oxley	Patchett	Perkins	Poffenberger
Pope	Walter	Wells	Welsh

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 461, a bill for an act to legalize proceedings taken by the board of supervisors of Poweshiek county relating to the sale of certain properties, with report of committee recommending passage was taken up for consideration.

Ritsema 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. 461)

The ayes were, 75:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lonergan	Lorenzen	Lura	McKean
Menke	Miller	Norland	O'Kane
Pavich	Pellett	Pelton	Rapp
Ritsema	Schroeder	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Woods	Mr. Speaker	

The nays were, 4:

Cusack	Maulsby	Schnekloth	Sherzan
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Absent or not voting, 21:

Avenson	Brandt	Byerly	Chiodo
Crawford	Howell	Jay	Jesse
Larsen	Lind	Lloyd-Jones	Mullins
Oxley	Patchett	Perkins	Poffenberger
Pope	Walter	Wells	Welsh
West			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 476, a bill for an act to legalize the proceedings of the Davenport community school district relating to the sale of certain property, with report of committee recommending passage was taken up for consideration.

Ritsema 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. 476)

The ayes were, 76:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Lorenzen	Lura
McKean	Menke	Miller	O'Kane
Pavich	Pellett	Pelton	Rapp
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker

The nays were, 3:

Cusack	Dieleman	Sherzan
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Absent or not voting, 21:

Ayenson	Brandt	Byerly	Chiodo
Howell	Jay	Jesse	Larsen
Lind	Maulsby	Mullins	Norland
Oxley	Patchett	Perkins	Poffenberger
Pope	Tofte	Walter	Wells
Welsh			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 451, a bill for an act relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency, with report of committee recommending passage was taken up for consideration.

Krewson 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. 451)

The ayes were, 82:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Holt
Horn	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorezen
Maulsby	McKean	Menke	Miller
Norland	O'Kane	Pavich	Pellett
Pelton	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Woods	Mr. Speaker		

The nays were, 2:

Hinkhouse	Jesse
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Absent or not voting, 16:

Byerly	Chiodo	Connors	Daggett
Danker	Hoffmann	Howell	Lind
Lura	Mullins	Oxley	Patchett
Perkins	Poffenberger	Walter	Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 401 SUBSTITUTED FOR HOUSE FILE 718

Pellett of Cass asked and received unanimous consent to substitute Senate File 401 for House File 718.

Senate File 401, a bill for an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license, with report of committee recommending passage was taken up for consideration.

Lonergan of Boone offered the following amendment H-4007 filed by her:

H-4007

- 1 Amend Senate File 401, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Chapter one hundred nine (109), Code
- 6 1979, is amended by adding the following new section:
- 7 NEW SECTION. A person shall not hunt within the
- 8 right-of-way of a public road when it adjoins land
- 9 upon which the owner or tenant does not permit hunting
- 10 and signs to that effect are posted along the boundary
- 11 of the land and the right-of-way."
- 12 2. By renumbering sections to conform to this
- 13 amendment.
- 14 3. Amend the title, line 3, by inserting after
- 15 the word "license" the words ", to prohibit hunting
- 16 within the right-of-way of certain public roads, and
- 17 subject violators to a penalty".

Smalley of Polk rose on a point of order that amendment H-4007 was not germane.

The Speaker ruled the point well taken and amendment H-4007 not germane,

Lonergan of Boone moved that the rules be suspended for the consideration of amendment H-4007.

A non-record roll call was requested.

The ayes were 34, nays 50.

The motion lost.

Gettings of Wapello offered the following amendment H-4011 filed by him:

H-4011 . .

1 Amend Senate File 401, as passed by the Senate,
2 as follows:

3 1. Page 1, by inserting before line 1, the
4 following:

5 "Section 1. Section one hundred ten point twenty-
6 four (110.24), Code 1979, is amended by adding the
7 following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. A veteran of the armed
9 forces of the United States with a fifty percent or
10 more permanent service-connected disability certified
11 by the United States veterans' administration shall
12 not be required to have a fishing license.

13 Sec. 2. Section one hundred ten point twenty-four
14 (110.24), unnumbered paragraph seven (7), Code 1979,
15 is amended to read as follows:

16 No license shall be required of minor pupils of
17 the state school for the blind, state school for the
18 deaf, nor of minor inmates of other state institutions
19 under the control of a director of a division of the
20 department of social services, except that this
21 provision shall not apply to the inmates of the men's
22 penitentiary at Fort Madison, the men's reformatory
23 at Anamosa, and the women's reformatory at Rockwell
24 City, nor shall any person who is on active duty with
25 the ~~Armed Forces~~ armed forces of the United States,
26 on authorized leave, or is retired from the armed
27 forces of the United States, and a legal resident
28 of the state of Iowa, be required to have a license
29 to hunt or fish in this state. No license shall be
30 required of inmates of county care facilities or any
31 person who is receiving old-age assistance under
32 chapter 249."

33 2. By renumbering the sections to conform to this
34 amendment.

35 3. Amend the title, line 3, by inserting after
36 the word "license" the words ", and to exempt certain
37 veterans from the requirement of having a hunting
38 or fishing license".

Smalley of Polk rose on a point of order that amendment H-4011 was not germane.

The Speaker ruled the point well taken and amendment H-4011 not germane.

O'Kane of Woodbury asked and received unanimous consent to withdraw amendment H—4015 filed by him on April 19, 1979.

Gettings of Wapello offered the following amendment H—4010 filed by him and moved its adoption:

H—4010

- 1 Amend Senate File 401 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting after line 7 the following:
 4 "Sec. . . . Section eight hundred five point eight
 5 (805.8), subsection five (5), Code 1979, is amended
 6 by adding the following new lettered paragraph:
 7 NEW LETTERED PARAGRAPH. For hunting or taking
 8 a raccoon during a closed season in violation of
 9 sections one hundred nine point thirty-eight (109.38)
 10 and one hundred nine point thirty-nine (109.39) of
 11 the Code or administrative orders or rules adopted
 12 under those sections, the scheduled fine is fifty
 13 dollars."
 14 2. By numbering the section.
 15 3. Amend the title, line 3, by inserting after
 16 the word "license" the words "or during a closed
 17 season".

Amendment H—4010 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?" (S.F. 401)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.

Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Norland	O'Kane
Pavich	Pellett	Pelton	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Avenson	Byerly	Chiodo	Cusack
Lind	Mullins	Oxley	Patchett
Perkins	Poffenberger	Tofte	Walter
Welden	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cusack of Scott for the remainder of the day on request of Cochran of Webster.

HOUSE FILE 718 WITHDRAWN

Pellett of Cass asked and received unanimous consent to withdraw House File 718 from further consideration by the House.

SENATE FILE 376 SUBSTITUTED FOR HOUSE FILE 684

Holt of Clay asked and received unanimous consent to substitute Senate File 376 for House File 684.

Senate File 376, a bill for an act to allow the director of the state conservation commission to contract for the removal of rough fish, with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury offered the following amendment H-4017 filed by him and moved its adoption:

H-4017

- 1 Amend Senate File 376 as follows:
 2 1. Page 1, line 6, by striking the word "public"
 3 and inserting in lieu thereof the word "inland".
 4 2. Page 1, line 14, by striking the word "break"
 5 and inserting in lieu thereof the word "breach".
 6 3. Page 1, by inserting after line 14 the
 7 following numbered subparagraphs:
 8 "4. The method to be used in taking the fish.
 9 5. Provisions to remove rough fish with minimum
 10 injury to the inland waters and to other fish."
 11 4. By renumbering as necessary.

Amendment H-4017 was adopted.

O'Kane of Woodbury offered the following amendment H-4016 filed by him and moved its adoption:

H-4016

- 1 Amend Senate File 376 as follows:
 2 1. Page 1, by striking lines 17 and 18 and
 3 inserting in lieu thereof the following:
 4 "Sec. 2. This Act being of immediate
 5 importance, shall take effect from and after its
 6 publication in the Spencer Daily Reporter, a newspaper
 7 published in Spencer, Iowa, and in The Sioux City
 8 Journal, a newspaper published in Sioux City, Iowa."

Amendment H-4016 was adopted.

Holt of Clay 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, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Bjonneboese	Brandt
Branstad	Bruner	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.

Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Pavich	Pellett
Pelton	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Byerly	Chiodo	Clark, B.J.	Connors
Cusack	Gettings	Hullinger	Lind
Oxley	Patchett	Perkins	Poffenberger
Walter	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 684 WITHDRAWN

Holt of Clay asked and received unanimous consent to withdraw House File 684 from further consideration by the House.

HOUSE FILE 107 WITHDRAWN

Stromer of Hancock asked and received unanimous consent to withdraw House File 107 from further consideration by the House.

SENATE FILE 283 SUBSTITUTED FOR HOUSE FILE 453

Hanson of Delaware asked and received unanimous consent to substitute Senate File 283 for House File 453.

Senate File 283, a bill for an act relating to the investment of cemetery perpetual care funds by cities, with report of committee recommending passage was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H—4027 filed by him and moved its adoption:

H—4027

- 1 Amend Senate File 283 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 8, by striking the word "in"
- 4 and inserting in lieu thereof the following: "in
- 5 within the city or its county of".

A non-record roll call was requested.

The ayes were 53, nays 22.

Amendment H—4027 was adopted.

Hanson of Delaware 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. 283)

The ayes were, 84:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Holt	Horn	Howell
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Pavich	Pellett	Pelton
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spears	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Welden
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 16:

Anderson, R.	Byerly	Chiodo	Cusack
Hoffmann	Hullinger	Johnson, R.	Lageschulte
Lind	Oxley	Patchett	Perkins
Poffenberger	Van Maanen	Walter	Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 453 WITHDRAWN

Hanson of Delaware asked and received unanimous consent to withdraw House File 453 from further consideration by the House.

Senate File 422, a bill for an act relating to the laying of gas mains and water mains along highways, with report of committee recommending passage was taken up for consideration.

Danker 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. 422)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Pavich
Pellett	Pelton	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 13:

Byerly	Chiodo	Cusack	Hullinger
Johnson, R.	Larsen	Lind	Oxley
Patchett	Perkins	Poffenberger	Walter
Wells			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 4, a bill for an act relating to theft of library materials and providing a penalty, with report of committee recommending passage was taken up for consideration.

Johnson of Howard offered the following amendment H-3747 filed by him:

H-3747

- 1 Amend Senate File 4 as follows:
- 2 1. Page 1, by inserting after line 33 the following
- 3 new paragraphs:
- 4 "The fact that a person fails to return library
- 5 materials for six months after the date the person
- 6 agreed to return the library materials is evidence
- 7 of intent to deprive the owner, provided a reasonable
- 8 attempt has been made to reclaim the materials.
- 9 Notices stating the provisions of this section and
- 10 of section eight hundred eight point twelve (808.12)
- 11 of the Code with regard to library materials shall
- 12 be posted in clear public view in all public libraries,
- 13 in all libraries of educational, historical or
- 14 eleemosynary institutions, organizations or societies,
- 15 in all museums and in all repositories of public
- 16 records.
- 17 In the case of lost library materials, arrangements
- 18 may be made to make a monetary settlement."

The following amendment H-4034, to amendment H-3747, filed by Clark of Cerro Gordo from the floor was adopted by unanimous consent:

H-4034

- 1 Amend amendment H-3747 to Senate File 4 as
- 2 follows:
- 3 1. Page 1, line 14, by striking the word

4 "eleemosynary" and inserting in lieu thereof the
5 word "charitable".

Johnson of Howard moved the adoption of amendment H—3747, as amended.

A non-record roll call was requested.

The ayes were 52, nays 24.

Amendment H—3747, as amended, was adopted.

Jesse of Polk moved to reconsider the vote by which amendment H—3747, as amended, was adopted by the House on April 20, 1979.

A non-record roll call was requested.

The ayes were 37, nays 46.

The motion lost.

Clark of Cerro Gordo asked for unanimous consent to amend Senate File 4.

Objection was raised.

Hibbs of Johnson 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 80 was invoked.

On the question "Shall the bill pass?" (S.F. 4)

The ayes were, 52:

Anderson, J.	Anderson, R.	Bennett	Branstad
Clark, B.J.	Cochran	Conlon	Corey
Danker	De Groot	Diemer	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Jay
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Loneragan
Lorenzen	Lura	Maulsby	McKean

Menke	Mullins	Pellett	Pope
Rapp	Schnekloth	Schroeder	Shull
Smalley	Spear	Swearingen	Thompson
Tyrrell	Van Maanen	West	Mr. Speaker

The nays were, 36:

Arnould	Avenson	Binneboese	Brandt
Bruner	Chiodo	Clark, J.H.	Connolly
Connors	Crawford	Davitt	Dieleman
Doyle	Gettings	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jesse	Jochum	Lloyd-Jones	Miller
Norland	O'Kane	Patchett	Pavich
Pelton	Ritsema	Sherzan	Shimanek
Tofte	Welden	Welsh	Woods

Absent or not voting, 12:

Bina	Byerly	Crabb	Cusack
Daggett	Lind	Oxley	Perkins
Poffenberger	Stromer	Walter	Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Crabb of Crawford for the remainder of the day on request of Husak of Tama; Bina of Scott for the remainder of the day on request of Cochran of Webster.

TEMPORARILY DEFERRED (House File 465)

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on House File 465 and that the bill retain its place on the Daily Debate Calendar.

SENATE FILE 464 SUBSTITUTED FOR HOUSE FILE 489

Ritsema of Sioux asked and received unanimous consent to substitute Senate File 464 for House File 489.

Senate File 464, a bill for an act relating to the final report of the personal representative of a decedent's estate, with report of committee recommending passage was taken up for consideration.

Rapp of Black Hawk offered the following amendment H—4022 filed by him:

H—4022

1 Amend Senate File 464 as passed by the Senate,
2 as follows:

3 1. Page 1, by inserting after line 8 the following:

4 "Sec. 2. Section six hundred thirty-three point
5 four hundred seventy-seven (633.477), Code 1979, is
6 amended by adding the following new subsection:

7 **NEW SUBSECTION.** An itemized statement of duties
8 and services performed corresponding to the time spent
9 or charged for such services and the amount of the
10 fee paid for such services, by the personal
11 representative and the personal representative's
12 attorney.

13 Sec. 3. Section six hundred thirty-three point
14 one hundred ninety-seven (633.197), Code 1979, is
15 amended by striking the section and inserting in lieu
16 thereof the following:

17 633.197 COMPENSATION. Personal representatives
18 shall be allowed reasonable fees as determined by
19 the court as full compensation for ordinary services.
20 The fees shall be based upon a reasonable hourly rate.

21 Sec. 4. Section six hundred thirty-three point
22 one hundred ninety-eight (633.198), Code 1979, is
23 amended to read as follows:

24 633.198 ATTORNEY FEE. There shall also be allowed
25 and taxed as part of the costs of administration of
26 estates as an attorney's fee for the personal
27 representative's attorney, such reasonable fee as
28 may be determined by the court, for services rendered,
29 but not in excess of the schedule of fees herein
30 provided for personal representatives. The attorney's
31 fee shall be based upon a reasonable hourly rate.

32 Sec. 5. Section six hundred thirty-five point
33 one (635.1), Code 1979, is amended to read as follows:

34 635.1 WHEN APPLICABLE.

35 1. When the total value of the probate and
36 nonprobate property of a decedent subject to the
37 jurisdiction of this state including life insurance
38 payable to the estate but not including other life
39 insurance, does not exceed ten fifty thousand dollars,
40 if the decedent dies intestate and is survived by
41 a spouse or children or both, or if the decedent
42 leaves a last will and testament and that will is
43 admitted to probate but there is no present ad-
44 ministration and the only beneficiaries are a spouse
45 or children or both, then upon the petition of the
46 spouse or a child of the decedent who is a resident

47 of the state of Iowa, the clerk shall issue to the
48 petitioner letters of appointment of executor or
49 administrator for administration of a small estate.
50 2. When the total value of the probate and

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1 nonprobate property of a decedent subject to the
2 jurisdiction of this state including life insurance
3 payable to the estate but not including other life
4 insurance, does not exceed ten fifty thousand dollars,
5 if the decedent dies intestate without a surviving
6 spouse or issue and with a surviving parent or parents,
7 or if the decedent dies without a surviving spouse
8 or issue and leaves a last will and testament and
9 that will is admitted to probate but there is no
10 present administration and the only beneficiaries
11 are a surviving parent or parents, then upon the
12 petition of a parent of the decedent who is a resident
13 of the state of Iowa the clerk shall issue to the
14 petitioner letters of appointment as executor or
15 administrator for administration of a small estate.

16 Sec. 6. Section six hundred thirty-five point
17 four (635.4), Code 1979, is amended to read as follows:
18 635.4 TURNING OVER ASSETS TO REPRESENTATIVE.

19 Any debtor, financial institution, or other possessor
20 of property shall deliver to the personal
21 representative of a small estate all property of the
22 estate in its possession unless the value of the
23 property exceeds ten fifty thousand dollars. The
24 possessor of property shall be exonerated from any
25 liability for the delivery of property to the personal
26 representative and shall not be responsible for its
27 disposition after the delivery.

28 Sec. 7. Section six hundred thirty-five point
29 seven (635.7), Code 1979, is amended to read as
30 follows:

31 635.7 REPORT AND INVENTORY—SHOWING GREATER GROSS
32 VALUE. The personal representative is required to
33 file the report and inventory for which provision
34 is made in section 633.361. Nothing in sections
35 635.1 to 635.3 shall exempt the personal representative
36 from complying with the requirements of section 450.22
37 or the clerk from complying with the requirements
38 of section 633.481. If the inventory and report shows
39 assets subject to the jurisdiction of this state
40 including life insurance payable to the estate but

41 not including other life insurance which exceed the
42 total gross value of ten fifty thousand dollars, the
43 clerk shall terminate the letters issued under section
44 635.1 without prejudice to the rights of persons who
45 delivered property as permitted under section 635.3.
46 The personal representative shall then be required
47 to petition for administration of the estate.
48 Sec. 8. Chapter six hundred thirty-five (635),
49 Code 1979, is amended by adding the following new
50 section:

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1 **NEW SECTION. TURNING OVER REAL PROPERTY TO**
2 **REPRESENTATIVE.** After receipt of real property or
3 an instrument evidencing real property, pursuant to
4 section six hundred thirty-five point four (635.4)
5 of the Code, the personal representative of the small
6 estate shall file an affidavit with the county recorder
7 of each county in which a part of the real property
8 is located. The affidavit shall state all of the
9 following:
10 1. That the total value of the probate and
11 nonprobate property of the decedent subject to the
12 jurisdiction of this state including life insurance
13 payable to the estate but not including other life
14 insurance, does not exceed fifty thousand dollars.
15 2. The clerk of the district court has granted
16 the personal representative letters of appointment
17 as executor or administrator for administration of
18 a small estate.
19 3. No application or petition for the appointment
20 of an executor or administrator for administration
21 of the estate other than as a small estate, is pending
22 or has been granted in any jurisdiction.
23 4. The nature of the real property interest
24 delivered or transferred pursuant to section six
25 hundred thirty-five point four (635.4) of the Code.
26 5. The legal description of the delivered or
27 transferred real property.
28 6. A statement verified or affirmed under penalty
29 of perjury that the statements contained in the
30 affidavit are true to the best of the personal
31 representative's knowledge and belief.
32 Sec. 9. Chapter six hundred thirty-five (635),
33 Code 1979, is amended by adding the following new
34 section:
35 **NEW SECTION. SMALL ESTATE ADMINISTRATION MANUAL.**
36 1. The court administrator of the judicial
37 department shall cause the preparation and publication
38 of a small estate administration manual. The manual

39 shall be an informational pamphlet that is suitable
 40 for use as a guide for the administration of small
 41 estates under this chapter without attorneys. The
 42 manual shall contain but shall not be limited to the
 43 following:
 44 a. Definitions of administration-related terms.
 45 b. General information as to what probate and
 46 nonprobate procedures are available, the transfer
 47 of solely owned and joint property, lawyers and fees,
 48 and forms.
 49 c. A step-by-step approach on how to use the
 50 administration procedures of this chapter.

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1 d. Information concerning tax liability.
 2 e. Informational material concerning estate
 3 planning and wills.
 4 2. The small estate administration manuals shall
 5 be made available to the public upon request through
 6 distribution by the clerks of the district courts.
 7 The manuals shall not be sold for profit, but a
 8 reasonable charge may be made for the cost of printing,
 9 postage and handling.
 10 Sec. 10. Section six hundred thirty-three point
 11 twenty-six (633.26), Code 1979, is repealed."
 12 2. Page 1, line 9, by striking the figure "2"
 13 and inserting in lieu thereof the figure "11".
 14 3. Page 1, line 10, by inserting after the word
 15 "enactment." the following: "Sections one (1) through
 16 eight (8) of this Act govern proceedings brought after
 17 the effective date of this Act. However, sections
 18 one (1) through eight (8) of this Act also govern
 19 further proceedings then pending when in the opinion
 20 of the court it is unjust not to apply the sections."

The following amendment H-4035, to amendment H-4022,
 filed by Rapp of Black Hawk from the floor was adopted by
 unanimous consent:

H-4035

1 Amend amendment H-4022, to Senate File 464, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by striking lines 13 through page 4
 4 line 20.

Rapp of Black Hawk moved the adoption of amendment
 H-4022, as amended.

Roll call was requested by Shimanek of Jones and O'Kane of Woodbury.

On the question "Shall amendment H—4022 be adopted?"

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Chiodo	Cochran
Conlon	Connolly	Connors	Crawford
Daggett	Davitt	Dieleman	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Jochum	Johnson, R.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Maulsby	McKean	Miller
Mullins	Norland	O'Kane	Patchett
Pelton	Pope	Rapp	Sherzan
Shull	Spear	Tofte	Van Maanen
Welsh	Woods		

The nays were, 37:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	De Groot	Diemer
Doyle	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Jay	Jesse	Johnson, J.
Johnson, W.	Lorenzen	Lura	Menke
Pavich	Pellett	Ritsema	Schnekloth
Schroeder	Shimanek	Smalley	Stromer
Swearingen	Thompson	Tyrrell	West
Mr. Speaker			

Absent or not voting, 13:

Bina	Byerly	Crabb	Cusack
Danker	Husak	Lind	Oxley
Perkins	Poffenberger	Walter	Welden
Wells			

Amendment H—4022, as amended, was adopted.

Ritsema 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. 464)

The ayes were, 79:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Chjodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crawford	Daggett	Danker
Davitt	De Groot	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	O'Kane	Patchett	Pavich
Pellett	Pelton	Pope	Rapp
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Van Maanen *	Welsh
West	Woods	Mr. Speaker	

The nays were, 6:

Hansen, I.	Harbor	Holt	Hummel
Schnekloth	Tyrrell		

Absent or not voting, 15:

Bina	Byerly	Crabb	Cusack
Dieleman	Husak	Lind	Miller
Oxley	Perkins	Poffenberger	Ritsema
Walter	Welden	Wells	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 489 WITHDRAWN

Ritsema of Sioux asked and received unanimous consent to withdraw House File 489 from further consideration by the House.

UNANIMOUS CONSENT TO VOTE

Brandt of Black Hawk asked and received unanimous consent to be recorded as voting "aye" on Senate File 464 and the vote was so recorded.

IMMEDIATE MESSAGE
(Senate File 464)

Rapp of Black Hawk asked and received unanimous consent to immediately message Senate File 464 to the Senate.

SENATE FILE 424 SUBSTITUTED FOR HOUSE FILE 651

Ritsema of Sioux asked and received unanimous consent to substitute Senate File 424 for House File 651.

Senate File 424, a bill for an act relating to the filing of objections to estate or property appraisement, with report of committee recommending passage was taken up for consideration.

Shimanek of Jones offered the following amendment H—4024 filed by her and Ritsema of Sioux and moved its adoption:

H—4024

- 1 Amend Senate File 424 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "revenue" the words "the attorney of record of
- 4 the estate, if any."
- 5 2. Page 1, by striking lines 21 through 30
- 6 and inserting in lieu thereof the following:
- 7 "450.29 RETURNS REQUIRED NOTICE OF FILING.
- 8 Upon service of such notice and the making of such
- 9 appraisement, the ~~said~~ notice, return thereon and
- 10 appraisement shall be filed with the clerk, and a
- 11 copy of ~~such the~~ appraisement shall at once be
- 12 filed by the clerk with the director of revenue.
- 13 The clerk shall send a notice, by ordinary mail,
- 14 to the attorney of record of the estate, if any,
- 15 to the personal representative of the estate, and
- 16 to each person known to be interested in the
- 17 estate or property appraised. The notice shall
- 18 state the date the appraisement was filed with the
- 19 clerk of court and shall include a copy of the
- 20 appraisement."

Amendment H—4024 was adopted.

Ritsema 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. 424)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson.
Bennett	Binneboese	Brandt	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crawford	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Patchett
Pavich	Pelton	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Bina	Byerly	Crabb	Cusack
Danker	Lind	Norland	Oxley
Pellett	Perkins	Poffenberger	Swearingen
Walter	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 651 WITHDRAWN

Ritsema of Sioux asked and received unanimous consent to withdraw House File 651 from further consideration by the House.

On motion by Halvorson of Clayton the House was recessed at 11:59 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Harbor of Mills in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pelton of Clinton for the remainder of the day on request of Johnson of Woodbury.

QUORUM CALL

Roll call was requested by Conlon of Muscatine and Larsen of Wapello to determine that a quorum was present. Rule 80 was invoked.

Present: 72

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Branstad	Chiodo	Clark, B.J.
Conlon	Connolly	Corey	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Pavich	Pellett	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Woods	Mr. Speaker (Harbor)

Absent: 28

Anderson, J.	Arnould	Bina	Bruner
Byerly	Clark, J.H.	Cochran	Connors
Crabb	Cusack	Davitt	Hall
Holt	Jochum	Lind	Millen
Norland	Oxley	Patchett	Pelton
Perkins	Poffenberger	Pope	Rapp
Smalley	Walter	Wells	Welsh

SENATE FILE 293 SUBSTITUTED FOR HOUSE FILE 656

Doyle of Woodbury asked and received unanimous consent to substitute Senate File 293 for House File 656.

Senate File 293, a bill for an act relating to the filing of requests and giving notice of claims against probated estates, 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?" (S.F. 293)

The ayes were, 73:

Anderson, R.	Avenson	Bennett	Binneboese
Branstad	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Pavich	Pellett	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Woods
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 27:

Anderson, J.	Arnould	Bina	Brandt
Bruner	Byerly	Connors	Corey
Crabb	Cusack	Gettings	Hall
Holt	Johnson, R.	Lind	Millen
Norland	Oxley	Patchett	Pelton
Perkins	Poffenberger	Pope	Smalley
Walter	Wells	Welsh	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 656 WITHDRAWN

Doyle of Woodbury asked and received unanimous consent to withdraw House File 656 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott and Patchett of Johnson, for the remainder of the day, on request of Jochum of Dubuque.

Senate File 164, a bill for an act relating to the movement of vehicles of excessive size by permit subject to penalties provided by law, with report of committee recommending passage was taken up for consideration.

Hummel of Benton offered the following amendment H-3494 filed by him and moved its adoption:

H-3494

1 Amend Senate File 164, as passed by the Senate,
2 as follows:
3 1. Page 1, by inserting before line 1 the following
4 new section:
5 "Section 1. Section three hundred twenty-one E
6 point seven (321E.7), Code 1979, is amended to read
7 as follows:
8 321E.7 LOAD LIMITS PER AXLE. The gross weight
9 on any axle of any vehicle or combination of vehicles
10 traveling under a permit issued in accordance with
11 the provisions of this chapter shall not exceed the
12 maximum axle load prescribed in section 321.463;
13 except that, construction machinery being temporarily
14 moved on streets, roads, or highways may have a gross
15 weight of thirty-six thousand pounds on any single
16 axle equipped with a minimum size twenty-six point
17 five-inch by twenty-five-inch flotation pneumatic
18 tires and a maximum gross weight of twenty thousand
19 pounds on any single axle equipped with minimum size
20 eighteen-inch by twenty-five-inch flotation pneumatic
21 tires, with the department authorized to adopt rules
22 to permit the use of tire sizes and weights within
23 the minimum and maximum specifications provided in
24 this section, provided that the total gross weight
25 of the vehicle or a combination of vehicles does not
26 exceed a maximum of one hundred twenty-six thousand

27 pounds; and except that a manufacturer of machinery
 28 or equipment manufactured or assembled in Iowa may
 29 be granted a permit for the movement of such machinery
 30 or equipment mounted on pneumatic tires with axle
 31 loads exceeding the maximum axle load prescribed in
 32 section 321.463 for distances not to exceed twenty-
 33 five miles at a speed not greater than twenty miles
 34 per hour. The movement of such machinery or equipment
 35 shall be over a specified route between the place
 36 of assembly or manufacture and a storage area, shipping
 37 point, proving ground, experimental area, weighing
 38 station, or another manufacturing plant."
 39 2. Renumber sections and correct internal
 40 references as necessary in accordance with this
 41 amendment.

Amendment H—3494 was adopted.

Bennett of Ida offered the following amendment H—3968 filed by him:

H—3968

1 Amend Senate File 164, as passed by the Senate,
 2 as follows:
 3 1. Page 1, by inserting before line 1 the following
 4 new section:
 5 "Section 1. Section three hundred twenty-one point
 6 one (321.1), subsection sixteen (16), unnumbered para-
 7 graph two (2), Code 1979, is amended to read as
 8 follows:
 9 All self-propelled machinery operated at speeds
 10 of less than thirty miles per hour, specifically
 11 designed for, or especially adapted to be capable
 12 of, incidental over-the-road and primary off-road
 13 usage, and used exclusively for the application of
 14 plant food materials, agricultural limestone or
 15 agricultural chemicals, and not specifically designed
 16 or intended for transportation of agricultural
 17 limestone and such chemicals and materials. Such
 18 machinery shall be operated in compliance with the
 19 load limits and within the tire sizes specified in
 20 section ~~321.463~~ three hundred twenty-one E point seven
 21 (321E.7) of the Code."
 22 2. Renumber sections and correct internal
 23 references as are necessary in accordance with this
 24 amendment.

Welden of Hardin rose on a point of order that amendment H—3968 was not germane.

The Speaker ruled the point well taken and amendment H—3968 not germane.

Miller of Buchanan 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. 164)

The ayes were, 77:

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Branstad	Bruner	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Gettings
Groth	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Pavich	Pellett	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Woods
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 23:

Anderson, J.	Arnould	Bina	Byerly
Connors	Crabb	Cusack	Evans
Hall	Halvorson, R.N.	Holt	Lind
Millen	Norland	Oxley	Patchett
Pelton	Perkins	Poffenberger	Smalley
Walter	Wells	Welsh	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 438 SUBSTITUTED FOR HOUSE FILE 703

Conlon of Muscatine asked and received unanimous consent to substitute Senate File 438 for House File 703.

Senate File 438, a bill for an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant, with report of committee recommending passage was taken up for consideration.

Conlon of Muscatine offered the following amendment H-3720 filed by him and moved its adoption:

H-3720

- 1 Amend Senate File 438 as follows:
- 2 1. Page 2, by striking lines 27 and 28.

Amendment H-3720 was adopted.

Conlon 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. 438)

The ayes were, 73:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lorenzen	Lura	McKean	Menke
Mullins	O'Kane	Pellett	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Van Maanen	West	Woods
Mr. Speaker (Harbor)			

The nays were, 6:

Krewson	Lonergan	Maulsby	Miller
Pavich	Tyrrell		

Absent or not voting, 21:

Arnould	Bina	Byerly	Crabb
Cusack	Evans	Hall	Holt
Lind	Lloyd-Jones	Millen	Norland
Oxley	Patchett	Pelton	Perkins
Poffenberger	Walter	Welden	Wells
Welsh			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 703 WITHDRAWN

Conlon of Muscatine asked and received unanimous consent to withdraw House File 703 from further consideration by the House.

Senate File 29, a bill for an act relating to the enforcement of foreign judgments, with report of committee recommending passage was taken up for consideration.

Smalley 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. 29)

The ayes were, 80:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller

Mullins	O'Kane	Pavich	Pellett
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welsh	West	Woods	Mr. Speaker (Harbor)

The nays were, none.

Absent or not voting, 20:

Arnould	Bina	Byerly	Crabb
Cusack	Doyle	Halvorson, R.N.	Holt
Lind	Lloyd-Jones	Millen	Norland
Oxley	Patchett	Pelton	Perkins
Poffenberger	Walter	Welden	Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 88, a bill for an act making a technical amendment to section one hundred fifty-six point nine (156.9), subsection three (3) of the Code, for the purpose of continuing the law as it existed prior to amendment in 1978, with report of committee recommending passage was taken up for consideration.

Lageschulte 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. 88)

The ayes were, 82:

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Branstad	Bruner	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen

Lura	Maulsby	McKean	Menke
Miller	Mullins	O'Kane	Pavich
Pellett	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Woods	Mr. Speaker (Harbor)		

The nays were, none.

Absent or not voting, 18:

Anderson, J.	Arnould	Bina	Byerly
Connors	Crabb	Cusack	Holt
Lind	Millen	Norland	Oxley
Patchett	Pelton	Perkins	Poffenberger
Walter	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 183, a bill for an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance, with report of committee recommending passage was taken up for consideration.

Woods of Polk offered the following amendment H—4002 filed by him and moved its adoption:

H—4002

- 1 Amend Senate File 183, as amended, passed and
- 2 reprinted, by the Senate, as follows:
- 3 1. Page 1, by striking lines 21 and 22, and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 3. This Act is effective July 1, 1980."

Amendment H—4002 was adopted.

Branstad of Winnebago 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. 183)

The ayes were, 63:

Anderson, J.	Avenson	Bennett	Binneboese
Brandt	Branstad	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crawford	Daggett	Danker	De Groot
Dieleman	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	McKean	Menke	Mullins
Rapp	Schnekloth	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker (Harbor)	

The nays were, 19:

Bruner	Chiodo	Connolly	Davitt
Diemer	Horn	Hummel	Johnson, R.
Krewson	Maulsby	Miller	O'Kane
Pavich	Pope	Ritsema	Schroeder
Welden	Welsh	Woods	

Absent or not voting, 18:

Anderson, R.	Arnould	Bina	Byerly
Crabb	Cusack	Holt	Lind
Millen	Norland	Oxley	Patchett
Pellett	Pelton	Perkins	Poffenberger
Walter	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer for the remainder of the day on request of Hansen of O'Brien.

Senate File 294, a bill for an act to provide uniform procedures for certifying questions of law, with report of committee recommending passage was taken up for consideration.

Shimanek of Jones 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. 294)

The ayes were, 82:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	McKean	Menke
Miller	Mullins	O'Kane	Pavich
Pellett	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Woods	Mr. Speaker (Harbor)		

The nays were, 1:

Maulsby

Absent or not voting, 17:

Arnould	Bina	Byerly	Crabb
Cusack	Holt	Lageschulte	Lind
Millen	Horton	Oxley	Patchett
Pelton	Perkins	Poffenberger	Walter
Wells			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 135, a bill for an act relating to the notice of oleomargarine in public eating places, with report of committee recommending passage was taken up for consideration.

Conlon of Muscatine offered the following amendment H—3995 filed by Conlon, et al., and moved its adoption:

H—3995

- 1 Amend Senate File 135 as follows:
- 2 1. Page 1, by striking lines 3 through 20 and
- 3 inserting in lieu thereof the following: "by
- 4 striking the paragraph."

A non-record roll call was requested.

The ayes were 28, nays 50.

Amendment H—3995 lost.

Husak of Tama 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. 135)

The ayes were, 81:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Pavich
Pellett	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stroemer
Swearingen	Thompson	Tofte	Tyrrell

Van Maanen
Mr. Speaker
(Harbor)

Welsh

West

Woods

The nays were, none.

Absent or not voting, 19:

Arnould

Bina

Byerly

Crabb

Cusack

Daggett

Holt

Kirkenslager

Lageschulte

Lind

Millen

Oxley

Patchett

Pelton

Perkins

Poffenberger

Walter

Welden

Wells

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holt of Clay on request of Tofte of Winneshiek; Kirkenslager of Des Moines on request of West of Marshall; De Groot of Lyon on request of Menke of O'Brien; Connolly of Dubuque on request of Welsh of Dubuque, all for the remainder of the day.

OBJECTION TO VOTE

Halvorson of Webster asked for unanimous consent to be recorded as voting "aye" on Senate Files 164 and 29.

Objection was raised.

Senate File 203, a bill for an act relating to the duties of the state department of transportation by designating the department as the agent to receive and disburse federal funds allocated to the state and its political subdivisions for transportation purposes by providing for use of funds deposited in the state aviation fund, and by providing for notice where the department refuses to issue a certificate of registration or special certificate for aircraft, with report of committee recommending amendment and passage was taken up for consideration.

Hoffmann of Muscatine offered amendment H—3337 filed by the committee on transportation on March 7, 1979 and found on page 816 of the House Journal and moved its adoption.

Amendment H—3337 was adopted.

Schroeder of Pottawattamie offered amendment H—3937 filed by him and requested division as follows:

H—3937

1 Amend Senate File 203, as passed by the Senate,
2 as follows:

H—3937A

3 1. Page 1, lines 3, 4, and 5, by striking the
4 words "Adopt rules in accordance with the provisions
5 of chapter seventeen A (17A) of the Code, at its
6 discretion, to provide" and inserting in lieu thereof
7 the word "Provide".

H—3937B

8 2. Page 1, line 13, by inserting after the word
9 "airports" the words "or air carrier airports".

H—3937A

10 3. Page 1, by striking lines 14 and 15.
11 4. Page 1, line 16, by striking the words "the
12 funds".

H—3937B

13 5. Page 2, by inserting after line 6 the following
14 new sections:
15 "Sec. . Section three hundred eighty-four point
16 twelve (384.12), subsection fourteen (14), Code 1979,
17 is amended by striking the subsection.
18 Sec. . Section three hundred thirty A point
19 fifteen (330A.15), Code 1979, is repealed."
20 6. Amend the title, line 6, by inserting after
21 the word "fund," the words "to repeal the authorization
22 to levy a tax for a regional airport authority,".

On motion by Schroeder of Pottawattamie, amendment H—3937A was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3937B.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—3962 filed by him on April 18, 1979.

Jesse of Polk offered the following amendment H—4014 filed by him and moved its adoption:

H—4014

1 Amend Senate File 203, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "purposes." the words "The department shall include
 5 estimates, if available, of the amount of federal
 6 funds which will be received and disbursed under this
 7 subsection in the department's budget request submitted
 8 to the governor and the general assembly. The
 9 respective standing committees on appropriations shall
 10 include in the appropriate appropriations bills as
 11 a separate appropriation that amount of state funds
 12 which are appropriated to match federal funds and,
 13 if available, an estimate of the amount of federal
 14 funds which will be received by providing the matching
 15 state funds."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 37, nays 40.

Amendment H—4014 lost.

Hoffmann 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 last time.

On the question "Shall the bill pass?" (S.F. 203)

The ayes were, 72:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Clark, J.H.	Cochran	Conlon	Connors
Corey	Crawford	Daggett	Danker
Davitt	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hinkhouse	Hoffmann	Hörn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Larsen	Lloyd-Jones

Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Pavich	Pellett
Pope	Rapp	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spears	Stromer	Swearingen	Thompson
Van Maanen	Welsh	West	Mr. Speaker (Harbor)

The nays were, 4:

Hibbs	Ritsema	Tyrrell	Welden
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Absent or not voting, 24:

Arnould	Bina	Byerly	Chiodo
Clark, B.J.	Connolly	Crabb	Cusack
De Groot	Evans	Holt	Kirkenslager
Lageschulte	Lind	Millen	Oxley
Patchett	Pelton	Perkins	Poffenberger
Tofte	Walter	Wells	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schneklath of Scott, for the remainder of the day, on request of Johnson of Woodbury.

Senate File 98, a bill for an act to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees, with report of committee recommending passage was taken up for consideration.

Smalley of Polk offered the following amendment H—4005 filed by him and Thompson of Polk:

H—4005

- 1 Amend Senate File 98, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 28 the fol-
- 4 lowing:
- 5 "No person shall be afforded relief under the

6 provisions of this chapter if it is found that the
 7 person is totally or partially unemployed due to a
 8 stoppage of work which exists because of a labor dis-
 9 pute at the factory, establishment, or other premises
 10 at which the person is or was last employed, provided
 11 that this disqualification shall not apply if it is
 12 shown that the person is not participating in, financ-
 13 ing or directly interested in the labor dispute which
 14 caused the stoppage of work. Any decision of a board
 15 of hospital trustees or of a general relief director
 16 pursuant to section three hundred forty-seven point
 17 sixteen (347.16), subsection two (2), Code 1979,
 18 shall be governed by the limitations of this section."

Connors of Polk rose on a point of order that amendment H-4005 was not germane.

The Speaker ruled the point well taken and amendment H-4005 not germane.

Smalley of Polk asked for unanimous consent to take up for consideration amendment H-4005.

Objection was raised.

Thompson of Polk offered the following amendment H-4003 filed by her:

H-4003

1 Amend Senate File 98, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 35, by striking the words "any
 4 county in the state may appoint" and inserting in
 5 lieu thereof the words "any each county in the state
 6 may shall appoint or designate".
 7 2. Page 2, line 4, by inserting after the word
 8 "overseer," the words "In counties of one hundred
 9 thousand or less population, the county board may
 10 designate as general relief director an employee of
 11 the state department of social services who is
 12 assigned to work in that county and is directed by
 13 the commissioner of social services, pursuant to an
 14 agreement with the county board, to exercise the
 15 functions and duties of general relief director in
 16 that county."

Thompson of Polk offered the following amendment H—4036, to amendment H—4003, filed by her from the floor and moved its adoption:

H—4036

- 1 Amend the Thompson amendment H—4003 to Senate
- 2 File 98, as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 1, line 6, by inserting after the word
- 5 "shall" the words ", no later than July 1, 1980,".

Amendment H—4036 was adopted.

On motion by Thompson of Polk, amendment H—4003, as amended, was adopted.

Clark of Cerro Gordo offered the following amendment H—4004 filed by her and Pope of Polk:

H—4004

- 1 Amend Senate File 98 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, lines 6 and 7, by striking the
- 4 words "has legal settlement under the section 252.16
- 5 in is a resident of" and inserting in lieu thereof the
- 6 words "has legal settlement under section 252.16 in".

Jesse of Polk offered the following amendment H—4037, to amendment H—4004, filed by him from the floor and moved its adoption:

H—4037

- 1 Amend amendment H—4004 to Senate File 98 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 6 and
- 5 inserting in lieu thereof the following:
- 6 "1. Page 6, by striking line 7 and inserting
- 7 in lieu thereof the following: "settlement
- 8 under section 252.16 fulfills the residency requirements
- 9 under section forty-seven point four (47.4),
- 10 subsection four (4), of the Code, in the county".

Amendment H—4037 was adopted.

On motion by Clark of Cerro Gordo, amendment H—4004, as amended, was adopted.

Howell of Floyd offered the following amendment H—3707 filed by him and moved its adoption:

H—3707

- 1 Amend Senate File 98, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 6, by striking lines 21 through 23 and
- 4 inserting in lieu thereof the following: "duties
- 5 assigned them by law. The board of trustees shall
- 6 meet on the first Monday in February, April, and
- 7 November in each year not less than once a year."
- 8 2. Page 6, by striking lines 26 and 27.

Amendment H—3707 was adopted.

Clark 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. 98)

The ayes were, 77:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connors	Corey	Crawford	Daggett
Danker	Davitt	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Pavich	Pellett	Pope
Rapp	Ritsema	Schroeder	Sherzan
Shi-manek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Welsh	West
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 23:

Arnould	Bina	Byerly	Chiodo
Connolly	Crabb	Cusack	De Groot
Holt	Kirkenslager	Lageschulte	Lind
Millen	Oxley	Patchett	Pelton
Perkins	Poffenberger	Schnekloth	Stromer
Walter	Wells	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 447, a bill for an act relating to pipelines by establishing construction standards for pipelines to protect soil conservation and drainage structures and practices and allowing land surveys by pipeline companies after notice, with report of committee recommending passage was taken up for consideration.

Hummel of Benton offered the following amendment H-3880 filed by him and moved its adoption:

H-3880

- 1 Amend Senate File 447 as amended, passed and re-
- 2 printed by the Senate as follows:
- 3 1. Page 1, line 5, by striking the word and figure
- 4 " , Code 1979" and inserting in lieu thereof the words
- 5 "of the Code".
- 6 2. Page 1, line 15, by striking the word and figure
- 7 " , Code 1979" and inserting in lieu thereof the words
- 8 "of the Code".
- 9 3. Page 1, line 19, by striking the word and
- 10 figure " , Code 1979" and inserting in lieu thereof
- 11 the words "of the Code".

Amendment H-3880 was adopted.

Davitt of Warren asked and received unanimous consent to withdraw amendment H-4023 filed by him on April 19, 1979.

Thompson of Polk asked and received unanimous consent to withdraw amendment H-4000 filed by her and Smalley of Polk on April 19, 1979.

Avenson of Fayette asked and received unanimous consent to withdraw amendment H—4020 filed by him on April 19, 1979 and amendment H—4021 filed by him on April 19, 1979.

Howell of Floyd asked and received unanimous consent to withdraw amendment H—4026 filed by him on April 19, 1979.

Howell of Floyd asked and received unanimous consent to withdraw amendment H—4009 filed by him on April 19, 1979.

Hinkhouse of Cedar asked and received unanimous consent to withdraw amendment H—4018 filed by him on April 19, 1979.

Miller of Buchanan asked and received unanimous consent to withdraw amendment H—4019 filed by him and Hummel of Benton on April 19, 1979.

Hummel 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. 447)

The ayes were, 72:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Clark, J.H.	Conlon	Connors	Corey
Crawford	Daggett	Danker	Davitt
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, W.	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	McKean	Menke
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welsh	West	Mr. Speaker (Harbor)

The nays were, 3:

Johnson, R.	Maulsby	Welden
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Absent or not voting, 25:

Arnould	Bina	Byerly	Chiodo
Clark, B.J.	Cochran	Connolly	Crabb
Cusack	De Groot	Holt	Kirkenslager
Krewson	Lageschulte	Lind	Millen
Oxley	Patchett	Pelton	Perkins
Poffenberger	Schneklath	Walter	Wells
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER PREVAILED
(Senate File 456)

Larsen of Wapello called up for consideration the motion to reconsider Senate File 456, filed on April 4, 1979, and moved to reconsider the vote by which Senate File 456, a bill for an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds, passed the House and was placed on its last reading on April 3, 1979.

A non-record roll call was requested.

The ayes were 68, nays 0.

The motion prevailed and the House reconsidered Senate File 456.

Larsen of Wapello called up for consideration the motion to reconsider amendment H-3683 filed by her on April 4, 1979 and moved to reconsider the vote by which amendment H-3683 (found on page 1296 of the House Journal) was adopted by the House on April 3, 1979.

The motion prevailed and the House reconsidered amendment H-3683.

Lura of Marshall asked and received unanimous consent to withdraw amendment H-3683.

Larsen of Wapello 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. 456)

The ayes were, 66:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Branstad	Bruner	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crawford	Daggett	Danker	Davitt
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	McKean	Menke	Miller
Mullins	O'Kane	Pellett	Pope
Rapp	Ritsema	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Welsh
West	Mr. Speaker (Harbor)		

The nays were, 6:

Brandt	Dieleman	Norland	Pavich
Tyrrell	Van Maanen		

Absent or not voting, 28:

Arnould	Bina	Byerly	Chiodo
Clark, B.J.	Connolly	Crabb	Cusack
De Groot	Hinkhouse	Holt	Kirkenslager
Krewson	Lageschulte	Lind	Maulsby
Millen	Oxley	Patchett	Pelton
Perkins	Poffenberger	Schneklath	Tofte
Walter	Welden	Wells	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Millen of Van Buren for the afternoon session on request of Harbor of Mills.

MOTION TO RECONSIDER LOST
(Senate File 299)

Cochran of Webster called up for consideration the motion to reconsider Senate File 299, filed on March 13, 1979, and moved to reconsider the vote by which Senate File 299, a bill for an act to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements, passed the House and was placed on its last reading on March 12, 1979.

Roll call was requested by Rapp of Black Hawk and Avenson of Fayette.

On the question "Shall the vote by which Senate File 299 passed the House be reconsidered?"

The ayes were, 31:

Anderson, R.	Avenson	Binneboese	Brandt
Bruner	Cochran	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Pavich	Rapp
Sherzan	Spear	Welsh	

The nays were, 39:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crawford	Daggett
Danker	Diemer	Egenes	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Ritsema
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Mr. Speaker (Harbor)	

Absent or not voting, 30:

Arnould	Bina	Byerly	Chiodo
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Clark, B.J.	Connolly	Crabb	Cusack
De Groot	Evans	Hinkhouse	Holt
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Millen	Oxley	Patchett
Pelton	Perkins	Poffenberger	Pope
Schnekloth	Smalley	Tofte	Walter
Wells	Woods		

The motion lost placing the following amendments out of order:

H—3520 filed by Cochran of Webster and Norland of Worth on March 22, 1979.

H—3951 filed by Cochran of Webster and Norland of Worth on April 17, 1979.

UNFINISHED BUSINESS CALENDAR (Senate File 247)

Halvorson of Clayton asked and received unanimous consent that Senate File 247, presently on the regular calendar, be placed on the unfinished business calendar.

REFERRED TO COMMITTEES

Halvorson of Clayton asked and received unanimous consent that all bills presently on the regular calendar be referred to their committee of origin or the committee to which they were originally referred. The bills were returned to committees as follows:

House File 275	Natural Resources
House File 391	Agriculture
House File 465	Judiciary and Law Enforcement
House File 560	Judiciary and Law Enforcement
House File 653	Judiciary and Law Enforcement
House File 664	Natural Resources
House File 665	Cities
House File 674	Human Resources
House File 678	State Government
House File 688	State Government
House File 690	State Government
House File 697	Education
House File 698	Transportation
House File 720	Ethics
Senate File 75	State Government

Senate File 89	Natural Resources
Senate File 176	Commerce
Senate File 185	Education

MOTIONS TO RECONSIDER
(Senate File 4)

I move to reconsider the vote by which Senate File 4 passed the House on April 20, 1979.

GROTH of Buena Vista

(Senate File 88)

I move to reconsider the vote by which Senate File 88 passed the House on April 20, 1979.

CRAWFORD of Story

(Senate File 164)

I move to reconsider the vote by which Senate File 164 passed the House on April 20, 1979.

BENNETT of Ida

PRESENTATION OF VISITORS

Larsen of Wapello presented to the House Olaf Solli, Norwegian Consul General, Minneapolis, Minnesota.

The Speaker announced that the following visitors were present in the House chamber:

Fifty students from Manson Middle School, Manson, Iowa, accompanied by Gary Mays and Mary Jo Christensen. By Maulsby of Calhoun.

Sixty fifth grade students from North Polk School, Sheldahl, Iowa, accompanied by Sue Coburn. By Krewson of Polk and Crawford of Story.

Twenty-five sixth grade students from Villisca Elementary School, Nodaway, Iowa, accompanied by Mrs. Simpson. By Daggett of Taylor. •

Seventy-five sixth grade students from East Elementary School, Ankeny, Iowa, accompanied by Joyce Anderson, Duane Suhr and Phyllis Heikens. By Byerly of Polk.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Mr. Travis. By Jay of Appanoose.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 20. Had I been present, I would have voted "aye" on the following Senate Files: 218, 347, 461 and 476.

WELSH of Dubuque

I was necessarily absent from the House chamber on April 20. Had I been present, I would have voted "aye" on Senate Files 218, 347, 461 and 476.

JAY of Appanoose

I was temporarily absent from the House chamber on April 20. Had I been present, I would have voted "aye" on Senate File 283.

LAGESCHULTE of Bremer

I was necessarily absent from the House chamber when the vote was taken on Senate File 293. Had I been present, I would have voted "aye."

BRUNER of Story

I was necessarily absent from the House chamber on Friday morning, April 20. Had I been present, I would have voted "aye" on Senate File 464.

DIELEMAN of Marion

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 487, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons.

Recommended **Do Pass**.

AMENDMENTS FILED

H-4038

H.F. 734

Davitt of Warren
Binneboese of Plymouth
Hullinger of Decatur
Cochran of Webster
Hummel of Benton
Mullins of Kossuth

H-4039

S.F. 485

Groth of Buena Vista
Anderson of Audubon
Branstad of Winnebago
O'Kane of Woodbury
Husak of Tama
Diemer of Black Hawk
Welsh of Dubuque
Rapp of Black Hawk
Hall of Linn
Horn of Linn
Hinkhouse of Cedar
Hullinger of Decatur
Bina of Scott
Sherzan of Polk
Arnould of Scott
Oxley of Linn
Jay of Appanoose

Corey of Louisa
Crabb of Crawford
Gettings of Wapello
Connors of Polk
Johnson of Woodbury
Shull of Warren
Howell of Floyd
Maulsby of Calhoun
Davitt of Warren
Lageschulte of Bremer
Binneboese of Plymouth
Lura of Marshall
Hanson of Delaware
Halvorson of Webster
Conlon of Muscatine
Doyle of Woodbury
Larsen of Wapello
Kirkenlager of Des Moines
Mullins of Kossuth

Cochran of Webster		Jesse of Polk
Dieleman of Marion		Corey of Louisa
Woods of Polk		Pellett of Cass
Swearingen of Keokuk		Schroeder of Pottawattamie
Van Maanen of Mahaska		Anderson of Jasper
Tyrrell of Iowa		Harbor of Mills
Chiodo of Polk		Avenson of Fayette
Holt of Clay		Clark of Cerro Gordo
Daggett of Taylor		
H-4040	H.F. 734	Lloyd-Jones of Johnson
H-4041	H.F. 647	Spear of Lee
H-4042	H.F. 647	Spear of Lee
H-4043	H.F. 649	Schroeder of Pottawattamie
		Chiodo of Polk
H-4044	H.F. 735	Welden of Hardin
Cusack of Scott		Harbor of Mills
West of Marshall		Stromer of Hancock
Miller of Buchanan		Hansen of O'Brien
Anderson of Jasper		Evans of Grundy
Lageschulte of Bremer		Dieleman of Marion
H-4045	H.F. 742	Welden of Hardin
Cusack of Scott		Harbor of Mills
West of Marshall		Stromer of Hancock
Miller of Buchanan		Hansen of O'Brien
Anderson of Jasper		Evans of Grundy
Lageschulte of Bremer		Dieleman of Marion
H-4046	H.F. 734	Perkins of Greene
		Norland of Worth
H-4047	H.F. 734	Tofte of Winneshiek
		Welden of Hardin
H-4048	H.F. 649	Avenson of Fayette
H-4049	H.F. 738	O'Kane of Woodbury
		Pavich of Pottawattamie
		Hinkhouse of Cedar
		Binneboese of Plymouth
		O'Kane of Woodbury
		Connors of Polk

On motion by Halvorson of Clayton the House adjourned at 3:25 p.m., until 10:00 a.m., Monday, April 23, 1979.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day—Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 23, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Allan Jones, pastor of the United Methodist Churches of Vincent, Woolstock and Duncombe.

The Journal of Friday, April 20, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. V. L. Schlaser, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Pelton of Clinton for April 23 and 24 on request of Johnson of Woodbury; Clark of Cerro Gordo for the morning session on request of Mullins of Kossuth; Stromer of Hancock on request of Tofte of Winneshiek; Poffenberger of Dallas for the morning session on request of Hoffmann of Muscatine.

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 on April 19, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 418, a bill for an act relating to the method of electing members of local school district boards of directors.

Also: That the Senate has on April 20, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 659, a bill for an act relating to the salary of the administrator of an area education agency.

Also: That the Senate has on April 19, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 671, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program.

Also: That the Senate has on April 19, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 709, a bill for an act relating to domestic abuse and providing a penalty.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 418

H-4050

- 1 Amend House File 418 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 22, by striking the word "ten"
- 4 and inserting in lieu thereof the word "thirty".
- 5 2. Page 1, line 29, by inserting after the period
- 6 the words "A proposition for a change in the number
- 7 of directors or in the method of election of school
- 8 directors shall not be submitted to the voters more
- 9 often than once every three years."
- 10 3. Page 1, by striking lines 30 and 31 and
- 11 inserting in lieu thereof the following new sections:
- 12 "Sec. 3. Section two hundred seventy-eight point
- 13 one (278.1), subsection nine (9), Code 1979, is amended
- 14 to read as follows:
- 15 9. Authorize the establishment or abandonment
- 16 of director districts or a change of boundaries of
- 17 director districts. If a proposition submitted to
- 18 the voters under this subsection is rejected, it may
- 19 not be resubmitted to the voters of the district in
- 20 substantially the same form within the next three
- 21 years; if it is approved, no other No proposal may
- 22 be submitted to the voters of the district under this
- 23 subsection within the next or subsection eight (8)
- 24 of this section more often than once every six three
- 25 years.
- 26 Sec. 4. Section two hundred seventy-eight point
- 27 two (278.2), Code 1979, is amended to read as follows:
- 28 278.2 SUBMISSION OF PROPOSITION. The board may,
- 29 and upon the written request of twenty-five eligible
- 30 electors of any district having a population of five
- 31 thousand or less, or of fifty eligible electors of
- 32 any other district, shall direct the county
- 33 commissioner of elections to provide in the notice
- 34 of the regular election for submitting any proposition
- 35 authorized by law to the voters. However, when in

36 the case of a proposition authorized by section two
 37 hundred seventy-eight point one (278.1), subsections
 38 eight (8) or nine (9) of the Code, the requirements
 39 of section two hundred seventy-five point thirty-six
 40 (275.36) of the Code shall govern with respect to
 41 the number of signatures required on a petition for
 42 submission of the proposition. When the board has
 43 directed the commissioner to submit to the voters
 44 a proposition authorized by section 278.1, subsections
 45 eight (8) or 9 or 10, it shall not thereafter direct
 46 him or her to submit at the same election any other
 47 proposition under either of these subsections."

SENATE AMENDMENT TO
 HOUSE FILE 659

H-4056

1 Amend House File 659 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, by striking lines 16 through 29 and
 4 inserting in lieu thereof the following: "year
 5 preceding passage of this Act by more than seven
 6 percent, subject to the salary limitations provided
 7 in this subsection. For the school year beginning
 8 July 1, 1978 1980; the annual salary of an
 9 administrator shall not exceed twenty-nine thousand
 10 dollars if the area education agency has an approved
 11 budget for that year of less than seven million dollars
 12 and shall not exceed thirty thousand dollars if the
 13 area education agency has an approved budget for that
 14 year of seven million dollars or more. For and for
 15 each school year thereafter, the annual salary
 16 established for an administrator shall not exceed
 17 one hundred percent, plus a percent equal to one-half
 18 of the state percent of growth established in section
 19 442.7 for the budget year, times the salary granted
 20 by the board for the preceding year for the
 21 administrator of that area education agency."

SENATE AMENDMENT TO
 HOUSE FILE 671

H-4051

1 Amend House File 671 as amended, passed and
 2 reprinted by the House as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting in lieu thereof the following:
 5 "Section 1. Section two hundred thirty-four point
 6 fifteen (234.15), Code 1979, is amended to read as
 7 follows:

8 234.15 AGENCY. The state director secretary of
9 agriculture of Iowa is hereby designated as the state
10 agent to make application to and receive from the
11 secretary of agriculture of the United States, or
12 any other proper federal official, pursuant and subject
13 to the provisions of Public Law 499, Eighty-first
14 Congress, approved May 3, 1950 (64 Stat. L. 152) Pub.
15 L. No. 499, 64 Stat. 152 (1950), all of the trust
16 assets held by the United States in trust for the
17 Iowa Rural Rehabilitation Corporation now dissolved.

18 Sec. 2. Section two hundred thirty-four point
19 sixteen (234.16), Code 1979, is amended to read as
20 follows:

21 234.16 AGREEMENTS. The state director secretary
22 of agriculture of Iowa is authorized, in his the
23 secretary's discretion, to enter into agreements with
24 the secretary of agriculture of the United States
25 pursuant to section 2(f) of the aforsaid Act of
26 Congress of the United States Pub. L. No. 499, 64
27 Stat. 152 (1950), upon such terms and conditions and
28 for such periods of time as may be mutually agreeable,
29 authorizing the secretary of agriculture of the United
30 States, or such federal agency as may be designated
31 by him the secretary, to accept, administer, expend
32 and use in the state of Iowa all or any part of such
33 trust assets or any other funds in the state of Iowa
34 which may be appropriated for such use in carrying
35 out the purposes of Titles I and II of the Bankhead-
36 Jones Farm Tenant Act, (50 Stat. L. 522) in accordance
37 with the applicable provisions of Title IV thereof
38 50 Stat. 522 (1937) as amended by Pub. L. No. 87-128,
39 75 Stat. 318 (1961) and to do any and all things
40 necessary to effectuate and carry out the purposes
41 of said agreements.

42 Sec. 3. Section two hundred thirty-four point
43 seventeen (234.17), Code 1979, is amended to read
44 as follows:

45 234.17 ASSETS. Except as to such of the assets
46 as may be authorized to be administered by the
47 secretary of agriculture of the United States under
48 the provisions of section 234.16, the trust assets
49 other than cash shall be taken on proper transfer
50 or assignment in the name of the state director

Page 2

1 secretary of agriculture of Iowa and administered
2 by him the secretary as hereinafter provided and the
3 future proceeds therefrom together with the cash items
4 received under the application made pursuant to section
5 234.15 shall be deposited with the treasurer of state

6 for the use of the state director secretary of
7 agriculture of Iowa in carrying out such of the rural
8 rehabilitation purposes permissible under the charter
9 of the now dissolved Iowa Rural Rehabilitation
10 Corporation as may from time to time be agreed upon
11 by the state director secretary of agriculture of
12 Iowa and the secretary of agriculture of the United
13 States as required by section 2(c), Public Law 499,
14 Eighty-first Congress Pub. L. No. 499 (1950).

15 Sec. 4. Section two-hundred thirty-four point
16 eighteen (234.18), Code 1979, is amended to read as
17 follows:

18 234.18 POWERS.

19 1. Seventy-five percent of the funds available
20 to the secretary of agriculture of Iowa under sections
21 two hundred thirty-four point fifteen (234.15) through
22 two hundred thirty-four point seventeen (234.17) of
23 the Code shall be used to establish a revolving fund
24 to guarantee loans made to individual residents of
25 Iowa for agricultural purposes, including but not
26 limited to the following purposes:

27 a. 4-H projects.

28 b. Future Farmers of America projects.

29 c. Farm operating loans, excluding feeder cattle
30 loans.

31 However, only twenty percent of a loan for a single
32 purpose shall be guaranteed under this subsection.

33 2. The obligations arising from loan guarantees
34 made under subsection one (1) of this section are
35 not obligations of this state within the meaning of
36 any constitutional or statutory debt limitations;
37 but are special obligations payable solely from the
38 sources provided in sections two hundred thirty-four
39 point fifteen (234.15) through two hundred thirty-
40 four point twenty (234.20) of the Code, and the
41 secretary of agriculture of Iowa shall not pledge
42 the credit or taxing power of this state or make the
43 obligations arising from loan guarantees payable out
44 of moneys other than the moneys available under
45 sections two hundred thirty-four point fifteen (234.15)
46 through two hundred thirty-four point twenty (234.20)
47 of the Code.

48 3. In addition to the express and necessarily
49 implied powers enumerated in the charter of the Iowa
50 Rural Rehabilitation Corporation now dissolved,

Page 3

1 appearing of record in book 1253, page 143 in the
2 office of the county recorder of Polk county, Iowa,
3 the state director secretary of agriculture of Iowa

4 is specifically authorized and empowered to:
 5 1- a. Receive written applications for loans, lend
 6 or advance moneys and execute all necessary written
 7 instruments in connection therewith needed in carrying
 8 out such of the rural rehabilitation purposes
 9 permissible and agreed upon as provided for in section
 10 234.17 and this section.

11 2- b. Collect, compromise, adjust or cancel claims
 12 and obligations arising out of or administered under
 13 this division or under any mortgage, lease, contract
 14 or agreement entered into or administered pursuant
 15 to this division and, if in its judgment, necessary
 16 and advisable, pursue the same to final collection
 17 in any court having jurisdiction.

18 3- c. Bid for and purchase at any execution,
 19 foreclosure or other sale, or otherwise to acquire
 20 property upon which it has a lien by reason of a
 21 judgment or execution, or which is pledged, mortgaged,
 22 conveyed or which otherwise secures any loan or other
 23 indebtedness owing to or acquired by it under this
 24 division; and.

25 4- d. Accept title to any property so purchased
 26 or acquired; operate or lease such property for such
 27 period as may be deemed necessary to protect the
 28 investment therein and sell or otherwise dispose of
 29 such property in a manner consistent with the
 30 provisions of this division.

31 4. The secretary of agriculture of Iowa shall
 32 adopt rules under chapter seventeen A (17A) of the
 33 Code to implement sections two hundred thirty-four
 34 point fifteen (234.15) through two hundred thirty-
 35 four point twenty (234.20) of the Code.

36 Sec. 5. Section two hundred thirty-four point
 37 nineteen (234.19), Code 1979, is amended to read as
 38 follows:

39 234.19 DELEGATION OF AUTHORITY. The authority
 40 conferred upon the ~~state director~~ secretary of
 41 agriculture of Iowa by section 234.18 may be delegated
 42 to the secretary of agriculture of the United States
 43 with respect to funds or assets authorized to be
 44 administered and used by ~~him~~ the secretary of
 45 agriculture of Iowa under agreements entered into
 46 pursuant to section 234.16.

47 Sec. 6. Section two hundred thirty-four point
 48 twenty (234.20), Code 1979, is amended to read as
 49 follows:

50 234.20 LIABILITY. The United States and the

- 2 from liability by virtue of the transfer of the assets
3 to the state director of the division of child and
4 family services of the department of social services
5 secretary of agriculture of the state of Iowa pursuant
6 to this division."
7 2. Title page, line 2, by striking the words
8 "family farm guaranteed".
9 3. Title page, line 3, by inserting after the
10 word "loan" the word "guarantee".

ADOPTION OF HOUSE RESOLUTION 16

Pursuant to House Rule 31, the Speaker announced that House Resolution 16, congratulating the City of Wellmann on their one-hundredth anniversary, filed on February 27, 1979 and found on pages 687 and 688 of the House Journal, was adopted by unanimous consent.

ADOPTION OF HOUSE RESOLUTION 17

Pursuant to House Rule 31, the Speaker announced that House Resolution 17, congratulating the City of Harper on their one-hundredth anniversary, filed on February 27, 1979 and found on page 688 of the House Journal, was adopted by unanimous consent.

ADOPTION OF HOUSE RESOLUTION 18

Pursuant to House Rule 31, the Speaker announced that House Resolution 18, congratulating the City of Kalona on their one-hundredth anniversary, filed on February 27, 1979 and found on page 688 of the House Journal, was adopted by unanimous consent.

ADOPTION OF HOUSE RESOLUTION 19

Pursuant to House Rule 31, the Speaker announced that House Resolution 19, congratulating the City of Keswick on their one-hundredth anniversary, filed on February 27, 1979 and found on page 689 of the House Journal, was adopted by unanimous consent.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

CONSIDERATION OF BILLS Appropriations Calendar

House File 734, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, was taken up for consideration.

(House File 734 pending at recess.)

SPECIAL PRESENTATION

In honor of National Secretary's Week, Halvorson of Clayton presented to the House Shirley Dickey, President of the Iowa Division, National Secretary's Association, as well as Administrative Assistant to the President of Blue Cross of Iowa and Assistant Corporate Secretary of Blue Cross and Launa Street, Secretary's Week Chairman for the Hawkeye Chapter of the National Secretary's Association in Des Moines. Launa is with the Administration Department of Iowa Lutheran Hospital.

Ms. Dickey addressed the House briefly, and the House expressed its welcome.

On motion by Halvorson of Clayton the House was recessed at 12:10 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

HOUSE CONCURRENT RESOLUTION 17

By Husak

- 1 *Whereas*, many state agencies have numerous state-
- 2 owned motor vehicles at their disposal for use in con-
- 3 ducting state business; and
- 4 *Whereas*, the use of state-owned motor vehicles is in-
- 5 tended to provide more economy in state government; and
- 6 *Whereas*, this state and the nations facing an im-
- 7 pending shortage of gasoline and other petroleum products;
- 8 and

9 *Whereas*, the citizens of this state have expressed con-
10 cerns about employees of a state agency each arriving at
11 public meetings held in various areas of the state in
12 separate state-owned motor vehicles; *Now Therefore,*
13 *Be It Resolved By The House Of Representatives, The*
14 *Senate Concurring*, That state agency administrators under-
15 take a study of state-owned motor vehicles usage by em-
16 ployees of their respective agencies and to develop guide-
17 lines relating to the use of state-owned motor vehicles under
18 the jurisdiction of their respective agencies to promote car
19 pooling when several employees from the same agency are
20 attending the same functions and such other measures deemed
21 appropriate in order to promote efficiency and to conserve
22 motor fuel and other petroleum products.

Laid over under Rule 30.

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 on April 17, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 307, a bill for an act relating to authorization for teaching.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 658, a bill for an act to authorize real property loans secured by alternative mortgage instruments.

Also: That the Senate has on April 19, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 694, a bill for an act making supplemental appropriations to the state department of transportation from the road use tax fund and the primary road fund for salaries, support, maintenance and miscellaneous purposes.

Also: That the Senate has on April 11, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 358, a bill for an act to provide for the licensing of ophthalmic dispensers, and making penalties applicable.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 658

H—4062

1 Amend House File 658 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 2, by striking the word and figure
4 "six (6)" and inserting in lieu thereof the word and
5 figure "fifteen (15)".

6 2. Page 2, line 22, by inserting after the word
7 "payments" the words "to be made directly by the
8 borrower".

9 3. Page 3, by inserting after line 5 the following:

10 "In connection with a loan which is secured by
11 a graduated payment mortgage, the borrower may pledge
12 funds held in a savings account owned by the borrower
13 as additional security for the loan. Portions of
14 the principal and earnings of the pledged savings
15 account shall be subject to withdrawal by and payment
16 to the lender on a periodic basis as supplements to
17 loan payments made directly by the borrower. In the
18 event of default by the borrower, a portion of the
19 balance of the pledged savings account may be used
20 for the purpose of curing the default if so provided
21 in the loan agreement, but in any event the balance
22 of the pledged savings account shall be used to reduce
23 the outstanding balance due on the loan upon
24 foreclosure."

25 4. Page 3, by inserting after line 29 the
26 following:

27 "If the loan agreement which is offered provides
28 for a pledged savings account as additional security
29 for the loan, then the disclosure under this paragraph
30 also shall include a schedule of the withdrawals to
31 be made from the savings account as supplemental
32 mortgage payments, the interest rate applicable to
33 the pledged savings account, and a description of
34 the contractual rights of the lender and the borrower
35 with respect to the pledged savings account."

36 5. Page 3, line 31, by striking the word and
37 figure "three (3)" and inserting in lieu thereof the
38 word and figure "five (5)".

39 6. Page 5, line 6, by striking the words "the
40 reference index which" and inserting in lieu thereof
41 the words "the same reference index as that which".

42 7. Page 6, line 7, by inserting after the word
43 "mortgage" the words "which is".

44 8. Page 6, lines 23 and 24, by striking the words
45 "borrowers have" and inserting in lieu thereof the
46 words "the borrower has".

- 47 9. Page 7, line 24, by striking the word and
 48 figure "five (5)" and inserting in lieu thereof the
 49 word and figure "thirteen (13)".
 50 10. Page 8, line 8, by striking the words "under

Page 2

- 1 this section" and inserting in lieu thereof the words
 2 and figure "as provided in subsection seven (7) of
 3 this section".

QUORUM CALL

Roll call was requested by Schroeder of Pottawattamie and
 Branstad of Winnebago to determine that a quorum was present.

Present, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	Menke	Miller	Mullins
Norland	Oxley	Pavich	Pellett
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
Woods	Mr. Speaker		

Absent, 14:

Chiodo	Crawford	Egenes	Evans
Jesse	Lind	Lura	McKean
O'Kane	Patchett	Pelton	Sherzan
Stromer	West		

BUSINESS PENDING

The House resumed consideration of **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research.

Tofte of Winneshiek offered the following amendment H—3881 filed by him and moved its adoption:

H—3881

- 1 Amend House File 734 as follows:
- 2 1. Page 1, line 1, by striking the words "NEW
- 3 SECTION."
- 4 2. Page 2, line 28, by striking the words "NEW
- 5 SECTION."
- 6 3. Page 3, line 14, by striking the words "NEW
- 7 SECTION."
- 8 4. Page 7, line 15, by striking the words "NEW
- 9 SECTION."
- 10 5. Page 7, line 30, by striking the words "NEW
- 11 SECTION."
- 12 6. Page 11, line 12, by striking the words "NEW
- 13 SECTION."
- 14 7. Page 12, line 15, by striking the words "NEW
- 15 SECTION."
- 16 8. Page 12, line 31, by striking the words "NEW
- 17 SECTION."
- 18 9. Page 13, line 3, by striking the words "NEW
- 19 SECTION."
- 20 10. Page 13, line 29, by striking the words "NEW
- 21 SECTION."
- 22 11. Page 15, line 21, by striking the words "NEW
- 23 SECTION."
- 24 12. Page 16, line 4, by striking the words "NEW
- 25 SECTION."
- 26 13. Page 16, line 33, by striking the words "NEW
- 27 SECTION."
- 28 14. Page 18, line 14, by striking the words "NEW
- 29 SECTION."

Amendment H—3881 was adopted.

Davitt of Warren offered the following amendment H-4038 filed by Davitt, et al.:

H-4038

- 1 Amend House File 734 as follows:
- 2 1. Page 3, by inserting after line 13 the
- 3 following:
- 4 "Sec. 3. Chapter one hundred fifty-nine (159),
- 5 Code 1979, is amended by adding the following new
- 6 section:
- 7 NEW SECTION. The secretary shall not approve the
- 8 use of open-ended vacuum grain probes pursuant to
- 9 section one hundred fifty-nine point five (159.5),
- 10 subsection ten (10) of the Code. A person who uses
- 11 a method of probing for foreign material content of
- 12 grain which is not approved by the secretary is guilty
- 13 of a simple misdemeanor."
- 14 2. By renumbering the sections to conform with
- 15 this amendment.

Pellett of Cass offered the following amendment H-4057, to amendment H-4038, filed from the floor by Pellett, Corey, Hinkhouse, Anderson of Audubon, Husak and De Groot:

H-4057

- 1 Amend the amendment H-4038 to page 3 of House File
- 2 734 as follows:
- 3 1. Page 1, by striking lines 4 through 13 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 3. A grain dealer shall be in compliance
- 6 with the rule established by the secretary of
- 7 agriculture under subsection ten (10) of section
- 8 one hundred fifty-nine point five (159.5) of the
- 9 Code, not later than July 1, 1980."

Schroeder of Pottawattamie asked and received unanimous consent to defer action on amendments H-4038 and H-4057.

Avenson of Fayette offered the following amendment H-3999 filed by him:

H-3999

- 1 Amend House File 734 as follows:
- 2 1. Page 4, line 27, by inserting before the word
- 3 "From" the word "a."
- 4 1. Page 5, by inserting after line 24 the follow-

5 ing:
 6 "b. From the general
 7 fund of the state for the
 8 same purposes as the funds
 9 appropriated by paragraph
 10 a of this subsection to
 11 be used to replace fed-
 12 eral funds under the
 13 "Pittman-Robertson Act",
 14 16 U.S.C. s. 669 et
 15 seq., if those federal
 16 funds become unavail-
 17 able \$1,200,000 \$1,200,000
 18 If the state conservation
 19 commission is reimbursed by
 20 the federal government for
 21 expenditures made from this
 22 appropriation, the state
 23 conservation commission shall
 24 deposit the reimbursement in
 25 the general fund of the state."

Tofte of Winneshiek offered the following amendment H—4047,
 to amendment H—3999 filed by Tofte, et al., and moved its adoption:

H—4047

1 Amend amendment H—3999 to House File 734 as
 2 follows:
 3 1. Page 1, by striking lines 6 through 17 and
 4 inserting in lieu thereof the following:
 5 "b. From the general
 6 fund of the state to a
 7 contingency fund to be used
 8 to replace federal funds under
 9 the "Pittman-Robertson Act",
 10 16 U.S.C. s. 669 et seq., if
 11 those federal funds become
 12 unavailable \$700,000 \$ "
 13 2. Page 1, line 22, by striking the word
 14 "appropriation" and inserting in lieu thereof the
 15 words "contingency fund".

Amendment H—4047 was adopted.

On motion by Avenson of Fayette, amendment H—3999, as
 amended, was adopted.

Byerly of Polk offered the following amendment H—4060 filed by him from the floor and moved its adoption:

H—4060

- 1 Amend House File 734 as follows:
- 2 1. Page 6, by striking line 29 and inserting in
- 3 lieu thereof the following:
- 4 "Code.....\$ 245,000 \$ 265,000"

Roll call was requested by Chiodo of Polk and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—4060 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jochum	Krewson	Lloyd-Jones
Loneragan	Menke	Miller	Norland
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Smalley	Walter
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Doyle	Egenes	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimaneck	Shull	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Evans	Jesse	O'Kane	Pelton
Stromer			

Amendment H—4060 lost.

Avenson of Fayette offered the following amendment H—3980 filed by him and moved its adoption:

H—3980

- 1 Amend House File 734 as follows:
- 2 1. Page 8, by inserting after line 22 the follow-
- 3 ing:
- 4 "3. Notwithstanding section four hundred fifty-
- 5 three point seven (453.7), subsection two (2) of the
- 6 Code, interest or earnings on investments or time
- 7 deposits of the funds in the state fish and game
- 8 protection fund shall be credited to the state fish
- 9 and game protection fund."
- 10 2. By renumbering the subsections to conform with
- 11 this amendment.

Amendment H—3980 was adopted.

Hanson of Delaware offered the following amendment H—3919 filed by Hanson, et al., and moved its adoption:

H—3919

- 1 Amend House File 734 as follows:
- 2 1. Page 8, by inserting after line 35 the
- 3 following:
- 4 "5. The state conservation commission shall
- 5 establish a program governing the harvesting and sale
- 6 of American ginseng subject to the Convention on
- 7 International Trade in Endangered Species of Wild
- 8 Fauna and Flora. The commission may adopt rules
- 9 providing for the time and conditions for the
- 10 harvesting of the ginseng, registration of dealers
- 11 and exporters and the records kept by them, and
- 12 certification of legal taking."

A non-record roll call was requested.

The ayes were 68, nays 21.

Amendment H—3919 was adopted.

Tofte of Winneshiek offered the following amendment H—3855 filed by him and moved its adoption:

H-3855

1 Amend House File 734 as follows:
2 1. Page 9, by striking lines 1 through 24 and
3 inserting in lieu thereof the following:
4 "Sec. 6. OPEN SPACES SCHOOL TAX PAYMENT. There
5 is appropriated from the general fund of the state
6 to the state conservation commission the amount of
7 thirty-five thousand (35,000) dollars to pay school
8 taxes for the fiscal year beginning July 1, 1980 on
9 the lands acquired under the open spaces acquisition
10 program, commenced in Acts of the Sixty-fifth General
11 Assembly, 1973 Session, chapter seventy-four (74),
12 which would otherwise be subject to the levy of school
13 taxes. The assessed value of the open spaces land
14 shall be that determined pursuant to section four
15 hundred twenty-seven point one (427.1), subsection
16 thirty-one (31), of the Code and the commission may
17 protest the assessed value in the manner provided
18 by law for any property owner to protest an assessment.
19 For the purposes of chapter four hundred forty-two
20 (442) of the Code, the assessed value of the open
21 spaces land shall be included in the valuation base
22 of the school district and the payments made pursuant
23 to this section shall be considered as property tax
24 revenues and not as miscellaneous income. The county
25 treasurer shall certify the taxes due to the
26 commission. If the total amount of taxes due certified
27 to the commission exceeds thirty-five thousand (35,000)
28 dollars, the taxes due shall be reduced proportionately
29 so that the total amount equals thirty-five thousand
30 (35,000) dollars."

Amendment H-3855 was adopted.

Avenson of Fayette offered the following amendment H-3997
filed by him and moved its adoption:

H-3997

1 Amend House File 734 as follows:
2 1. Page 10, by striking line 35 and inserting in
3 lieu thereof the words "the Code".
4 2. Page 11, line 1, by striking the words
5 "revenues. The board shall also" and inserting in
6 lieu thereof the words "The board shall".
7 3. Page 11, line 3, by inserting after the word
8 "agencies" the words "and the expenditure of all
9 funds pursuant to such agreements".

Amendment H-3997 was adopted.

The House resumed consideration of amendment H—4038 and amendment H—4057.

Pellett of Cass asked and received unanimous consent to withdraw amendment H—4057, to amendment H—4038.

Pellett of Cass offered the following amendment H—4065, to amendment H—4038, filed by him and Schroeder of Pottawattamie from the floor and moved its adoption:

H—4065

- 1 Amend amendment H—4038, to page 3 of House File
- 2 734, as follows:
- 3 1. Page 1, by striking lines 4 through 10 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 3. A grain dealer shall be in compliance
- 6 with the rule established by the secretary of
- 7 agriculture under subsection ten (10) of section
- 8 one hundred fifty-nine point five (159.5) of the
- 9 Code, not later than July 1, 1980. A person who uses".

Roll call was requested by Davitt of Warren and Binneboese of Plymouth.

On the question "Shall amendment H—4065 be adopted?"

The ayes were, 53:

Anderson, J.	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Pellett	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerley

Chiodo	Cochran	Connolly	Connor's
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Oxley	Patchett	Pavich
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 9:

Bennett	Evans	Norland	O'Kane
Pelton	Perkins	Poffenberger	Rapp
Stromer			

Amendment H—4065 was adopted, placing out of order amendment H—4067 (to amendment H—4038) filed from the floor by Daggett of Taylor and Mullins of Kossuth.

Davitt of Warren moved the adoption of amendment H—4038, as amended.

A non-record roll call was requested.

The ayes were 71, nays 14.

Amendment H—4038, as amended, was adopted.

Avenson of Fayette asked and received unanimous consent to withdraw amendment H—3767 (to page 11) filed by him on April 6, 1979.

Avenson of Fayette offered amendment H—3857 filed by Avenson, et al., and division was requested as follows:

H—3857

1 Amend House File 734 as follows:

H—3857A

- 2 1. Page 11, line 5, by striking the words
- 3 "unnumbered paragraph two (2)."
- 4 2. Page 11, by inserting after line 6 the
- 5 following:
- 6 "110B.4 USE OF REVENUE. All revenue shall be
- 7 used for projects approved by the commission for the
- 8 purpose of protecting and propagating migratory

9 waterfowl and for the acquisition, development,
 10 restoration, maintenance or preservation of
 11 wetlands, except for that part which is specified
 12 by the commission for use in paying administrative
 13 expenses as provided in section 107.17."

H—3857B

14 3. Page 11, by inserting after line 11 the
 15 following:
 16 "Sec. Chapter one hundred ten B (110B),
 17 Code 1979, is amended by adding the following new
 18 section:
 19 NEW SECTION. There is appropriated annually from
 20 the general fund of the state an amount equal to the
 21 total revenue derived from the sale of the stamps.
 22 All funds thus appropriated shall be used by the
 23 commission exclusively for the acquisition, develop-
 24 ment, restoration, maintenance or preservation of
 25 wetlands in Iowa."

On motion by Avenson of Fayette, amendment H—3857A was adopted.

Avenson of Fayette moved the adoption of amendment H—3857B.

Roll call was requested by Avenson of Fayette and Groth of Buena Vista.

On the question "Shall amendment H—3857B be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hinkhouse	Horn	Hullinger
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	McKean	Norland
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Smalley	Spear
Wells	Welsh	Woods	

The nays were, 48:

Anderson, J.	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hoffmann	Holt	Howell
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	West	Mr. Speaker

Absent or not voting, 9:

Bennett	Evans	Husak	Krewson
Lind	Miller	O'Kane	Pelton
Stromer			

Amendment H—3857B lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for the remainder of the day on request of Bina of Scott.

Harbor of Mills offered the following amendment H—3873 filed by him and moved its adoption:

H—3873

- 1 Amend House File 734 as follows:
- 2 1. Page 12, by striking lines 6 through 11 and
- 3 inserting in lieu thereof the following:
- 4 "office.....\$178,000 \$

Roll call was requested by Harbor of Mills and Thompson of Polk.

On the question "Shall amendment H—3873 be adopted?"

The ayes were, 54:

Anderson, J.	Avenson	Bennett	Binneboese
Brandt	Byerly	Clark, B.J.	Clark, J.H.
Corey	Crabb	Daggett	Danker

Davitt	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Halvorson, R.A.
Harbor	Hibbs	Hoffmann	Holt
Horn	Hummel	Jay	Jesse
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lura	Menke	Mullins
Norland	O'Kane	Oxley	Patchett
Pellett	Poffenberger	Pope	Rapp
Schnekloth	Sherzan	Shimanek	Shull
Thompson	Tofte	Walter	Wells
West	Mr. Speaker		

The nays were, 43:

Anderson, R.	Arnould	Bina	Branstad
Bruner	Chiodo	Cochran	Conlon
Connolly	Connors	Crawford	Cusack
De Groot	Evans	Hall	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hinkhouse	Howell
Hullinger	Husak	Jochum	Johnson, J.
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Miller	Pavich
Perkins	Ritsema	Schroeder	Smalley
Spear	Swearingen	Tyrrell	Van Maanen
Weiden	Welsh	Woods	

Absent or not voting, 3:

Lind	Pelton	Stromer
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Amendment H—3873 was adopted.

Byerly of Polk asked and received unanimous consent to temporarily defer action on amendment H—4070.

Lloyd-Jones of Johnson offered the following amendment H—4040 filed by her and moved its adoption:

H—4040

- 1 Amend House File 734 as follows:
- 2 1. Page 12, by striking lines 12 through 14.

Roll call was requested by Schroeder of Pottawattamie and Pope of Polk.

On the question "Shall amendment H—4040 be adopted?"

The ayes were, 29:

Anderson, R.	Arnould	Bina	Bruner
Chiodo	Conlon	Connolly	Connors
Corey	Cusack	Doyle	Gettings
Halvorson, R.A.	Halvorson, R.N.	Holt	Jesse
Jochum	Johnson, R.	Lloyd-Jones	Lorenzen
Lura	Patchett	Pavich	Perkins
Smalley	Spear	Swearingen	Walter
Welden			

The nays were, 64:

Anderson, J.	Avenson	Bennett	Binneboese
Brandt	Branstad	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Hall	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Johnson, J.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Loneragan	Maulsby
Miller	Mullins	Norland	O'Kane
Oxley	Pellett	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Thompson
Tofte	Tyrrell	Van Maanen	Wells
Welsh	West	Woods	Mr. Speaker

Absent or not voting, 7:

Groth	Krewson	Lind	McKean
Menke	Pelton	Stromer	

Amendment H—4040 lost.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions on House File 734.

A non-record roll call was requested.

The ayes were 53, nays 42.

The motion prevailed.

Anderson of Jasper offered the following amendment H—3856 filed by Anderson, et al.:

H—3856

1 Amend House File 734 as follows:
 2 1. Page 12, by inserting after line 14 the
 3 following:
 4 "4. For the Iowa rural
 5 community development
 6 committee.....\$250,000 \$250,000
 7 Not more than twenty thousand (20,000) dollars
 8 of the funds appropriated by this subsection of
 9 spent on supplies, expenses and the salary of the
 10 director."

Jay of Appanoose offered the following amendment H—3863, to amendment H—3856, filed by Groth, et al.:

H—3863

1 Amend H—3856 to page 12 of House File 734 as
 2 follows:
 3 1. Page 1, by striking line 6 and inserting
 4 in lieu thereof the following:
 5 "committee.....\$500,000 \$500,000".

Jay of Appanoose asked and received unanimous consent to withdraw amendment H—3863.

(Amendment H—3856 to House File 734 pending at adjournment.)

REREFERRED TO COMMITTEE ON CITIES
 (Senate File 75)

The Speaker announced that **Senate File 75**, referred back to the committee on **state government**, was rereferred to the committee on **cities**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 22, an act relating to cost-sharing funds for mandated soil conservation projects.

House File 257, an act relating to the regulation of liquefied natural gas.

House File 395, an act relating to investments in obligations of the United States farm credit system by persons whose investments are restricted by the laws of this state.

House File 420, an act to authorize the Department of Revenue to credit gas and franchise tax refunds against the tax liability of a taxpayer.

House File 451, an act to prohibit certain corporations and certain trusts from acquiring or leasing agricultural land in Iowa, providing an enforcement mechanism therefor and providing a penalty.

House File 455, an act relating to the amount of capital and surplus required for insurance companies to transact business in Iowa.

House File 645, an act relating to the form of invoices for the purchase of motor fuel to support a claim for refund of motor fuel tax.

Senate File 463, an act relating to the regulation of securities transactions.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty seventh and eighth grade students from Saint Patrick's School, Cedar Falls, Iowa, accompanied by Joe Bearns and Mrs. Julie Rokes. By Diemer of Black Hawk.

Thirty-two fifth and sixth grade students from Des Moines Christian School, Des Moines, Iowa. By Smalley of Polk.

Fourteen members of the Future Homemakers of America, Ida Grove, Iowa, accompanied by Marilyn Plunkett. By Bennett of Ida.

One hundred fifty fourth, fifth and sixth grade students from Hoglan Elementary School, Marshalltown, Iowa, accompanied by Mrs. Dieke. By West of Marshall and Lura of Marshall.

Fifty eleventh grade students from Norwalk Senior High School, Norwalk, Iowa, accompanied by Jerry McNeley. By Davitt of Warren.

Five political science students from University of Dubuque, Dubuque, Iowa, accompanied by Professor Dave Roberts. By Representatives Connolly, Jochum, and Welsh, all of Dubuque County.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 20. Had I been present, I would have voted "aye" on Senate Files 283 and 451.

HOFFMANN of Muscatine

I was necessarily absent from the House chamber on the afternoon of April 20. Had I been present, I would have voted "aye" on Senate Files 98, 135, 203, 447 and 456.

KIRKENSLAGER of Des Moines

I was necessarily absent from the House chamber on Friday, April 20. Had I been present, I would have voted "aye" on Senate Files 98, 203, 447 and the motions to reconsider Senate Files 456 and 299.

CONNOLLY of Dubuque

I was necessarily absent from the House chamber on April 20. Had I been present I would have voted "aye" on Senate Files 98, 447 and 456.

SCHNEKLOTH of Scott

I inadvertently voted "no" on amendment H-3919 to House File 734 on April 23, 1979. I intended to vote "aye."

WELSH of Dubuque

AMENDMENTS FILED

H-4052	H.F. 734	Schroeder of Pottawattamie
H-4053	H.F. 738	Poffenberger of Dallas
H-4054	H.F. 669	Howell of Floyd
		Evans of Grundy
H-4055	H.F. 669	Perkins of Greene
H-4058	H.F. 734	Norland of Worth
		Perkins of Greene
H-4059	S.F. 278	Lind of Black Hawk
		Horn of Linn

H-4061	H.F. 725	Maulsby of Calhoun Spear of Lee Horn of Linn
H-4063	H.F. 734	Norland of Worth Chiodo of Polk Byerly of Polk Woods of Polk
H-4064	H.F. 734	Horn of Linn
H-4066	H.F. 738	Anderson of Audubon Branstad of Winnebago Poffenberger of Dallas Perkins of Greene Johnson of Woodbury
H-4068	H.F. 738	Kirkenslager of Des Moines
H-4069	H.F. 738	Lind of Black Hawk Horn of Linn
H-4070	H.F. 734	Byerly of Polk Norland of Worth Avenson of Fayette Perkins of Greene Woods of Polk Horn of Linn Hullinger of Decatur Davitt of Warren Binneboese of Plymouth Jesse of Polk
H-4071	H.F. 734	Kirkenslager of Des Moines Tyrrell of Iowa Byerly of Polk
H-4072	H.F. 734	Patchett of Johnson Horn of Linn Hinkhouse of Cedar Lloyd-Jones of Johnson Avenson of Fayette Jochum of Dubuque
H-4073	H.F. 734	Perkins of Greene Clark of Cerro Gordo
H-4074	H.F. 738	Horn of Linn
H-4075	H.F. 738	Horn of Linn
H-4076	H.F. 734	Cochran of Webster Lloyd-Jones of Johnson
H-4077	H.F. 734	Miller of Buchanan Pellett of Cass

H-4078	H.F. 738	Horn of Linn
H-4079	H.F. 738	Horn of Linn
		Brandt of Black Hawk
H-4080	H.F. 738	Horn of Linn
H-4081	S.F. 485	Patchett of Johnson
		Lloyd-Jones of Johnson

On motion by Halvorson of Clayton the House adjourned at 5:30 p.m., until 9:00 a.m., Tuesday, April 24, 1979.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day—Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 24, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Donnley Dutcher, pastor of the First United Congregational Church, Algona, Iowa.

The Journal of Monday, April 23, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles Driscoll, University of Iowa Family Practice Department, Iowa City, Iowa.

SENATE MESSAGE CONSIDERED

Senate File 358, a bill for an act to provide for the licensing of ophthalmic dispensers, and making penalties applicable.

Read first time and **passed on file**.

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 on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 696, a bill for an act legalizing proceedings taken in Linn county relating to the sale of property.

Also: That the Senate has on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 704, a bill for an act to legalize proceedings taken by the board of supervisors of Appanoose County.

Also: That the Senate has on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 710, a bill for an act to legalize the proceedings of the city of Havelock in connection with the letting of certain contracts.

Also: That the Senate has on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 711, a bill for an act to legalize proceedings taken by the city of Sutherland relating to the letting of certain contracts.

Also: That the Senate has on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 712, a bill for an act relating to the legalization and validation of proceedings taken by the board of supervisors of Allamakee county relating to the remodeling and repair of the county care facility.

Also: That the Senate has on April 20, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 713, a bill for an act to legalize and validate the proceedings of the Menlo community school district relative to the exchange of certain real property.

FRANK J. STORK, Secretary

HOUSE FILE 572 WITHDRAWN

Crabb of Crawford asked and received unanimous consent to withdraw House File 572 from further consideration by the House.

MOTION TO RECONSIDER WITHDRAWN (Senate File 190)

Harbor of Mills asked and received unanimous consent to withdraw the motion to reconsider Senate File 190 filed by him on April 18, 1979.

HOUSE FILE 698 WITHDRAWN

Egenes of Story asked and received unanimous consent to withdraw House File 698 from further consideration by the House.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities

relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, and amendment H—3856 found on page 1738 of the House Journal.

Anderson of Jasper moved the adoption of amendment H—3856.

Roll call was requested by Anderson of Jasper and Cochran of Webster.

Rule 80 was invoked.

On the question “Shall amendment H—3856 be adopted?”

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Halvorson, R.N.
Hinkhouse	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 55:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 7:

Chiodo	Groth	Horn	Kirkenslager
Krewson	O’Kane	Pelton	

Amendment H—3856 lost.

Welsh of Dubuque offered the following amendment H—3860 filed by him:

H—3860

1 Amend House File 734 as follows:
2 1. Page 12, by inserting after line 14 the
3 following:
4 "4. a. For support of
5 an automobile ferry on the
6 Mississippi River between
7 Guttenberg, Iowa and
8 Cassville, Wisconsin.....\$80,000 \$80,000
9 b. The funds appropriated by this subsection
10 shall be used to underwrite the operation of an
11 automobile ferry across the Mississippi River
12 between Guttenberg, Iowa and Cassville, Wisconsin
13 with the state of Wisconsin. The funds appropriated
14 by this subsection shall not be expended unless
15 the state of Wisconsin agrees to participate in
16 this project, private parties agree to make all
17 arrangements for the operation of the ferry, and
18 the operators of the ferry agree to repay the state
19 of Iowa the amounts expended commencing four years
20 after the expenditure. The Iowa development commission
21 shall prepare a report to the next regular session
22 of the general assembly on the ferry project
23 stating any expenditures made and recommending
24 whether participation in this project should be
25 continued."

Welden of Hardin rose on a point of order that amendment H—3860 was not germane.

The Speaker ruled the point well taken and amendment H—3860 not germane.

Welsh of Dubuque asked for unanimous consent to take up for consideration amendment H—3860.

Objection was raised.

Welsh of Dubuque moved that the rules be suspended for the consideration of amendment H—3860.

Roll call was requested by Welsh of Dubuque and Connolly of Dubuque.

On the question "Shall the rules be suspended to consider amendment H—3860?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Hall	Halvorson, R.N.	Hanson, D.	Hinkhouse
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Miller	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Mullins
Pellett	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 11:

Chiodo	Crabb	Groth	Horn
Kirkenslager	Krewson	Lura	Norland
O'Kane	Pelton	Woods	

The motion lost.

Harbor of Mills offered the following amendment H—3874 filed by him:

H—3874

- 1 Amend House File 734 as follows:
- 2 1. Page 12, by inserting after line 14 the
- 3 following:
- 4 "Sec. 11. Section three hundred twenty-four point
- 5 three (324.3), unnumbered paragraph one (1), Code 1979.

6 is amended to read as follows:
 7 324.3 LEVY OF EXCISE TAX — EXEMPTIONS — CREDITS. For
 8 the privilege of operating motor vehicles in this state
 9 an excise tax of eight and one-half cents per gallon
 10 beginning July 1, 1978, and ten cents per gallon
 11 beginning July 1, 1979 is hereby imposed upon the
 12 use of all motor fuel used for any purpose except
 13 motor fuel containing at least ten percent alcohol
 14 distilled from agricultural products alcohol that is
 15 either agriculturally derived and manufactured in Iowa
 16 or derived from agricultural products analogous to those
 17 commodities contributing at least five percent of Iowa's
 18 cash receipts from marketings for the period beginning
 19 July 1, 1978 and ending June 30, 1983 and except as
 20 otherwise provided in this division. The tax shall be
 21 paid in the first instance by the distributor upon the
 22 invoiced gallonage of all motor fuel received by the
 23 distributor in this state, within the meaning of the
 24 word "received" as defined in this division, less the
 25 deductions hereinafter authorized. Thereafter, except as
 26 otherwise provided, the per gallon amount of such tax
 27 shall be added to the selling price of each and every
 28 gallon of such motor fuel sold in this state and collected
 29 from the purchaser to the end that the ultimate consumer
 30 shall bear the burden of such tax; provided, however, that
 31 no tax shall be imposed or collected under this division
 32 with respect to the following":
 33 2. By renumbering the sections to conform with this
 34 amendment.

Harbor of Mills offered the following amendment H—3929, to
 amendment H—3874, filed by him and moved its adoption:

H—3929

1 Amend the amendment H—3874 to House File 734 as
 2 follows:
 3 1. Page 1, by striking line 14 and inserting in
 4 lieu thereof the following: "distilled from agricul-
 5 tural products that is".

Amendment H—3929 was adopted.

Welden of Hardin rose on a point of order that amendment
 H—3874 was not germane.

The Speaker ruled the point well taken and amendment
 H—3874 not germane.

Norland of Worth offered the following amendment H—4063 filed by Norland, et al., and moved its adoption:

H—4063

- 1 Amend House File 734 as follows:
- 2 1. Page 12, by inserting after line 14 the
- 3 following:
- 4 "4. For a study
- 5 concerning the feasibility
- 6 and desirability of estab-
- 7 lishing a foreign office in
- 8 Asia for the purposes of
- 9 expanding and increasing
- 10 the export of Iowa
- 11 products.....\$40,000 \$ "

A non-record roll call was requested.

The ayes were 35, nays 52.

Amendment H—4063 lost.

Horn of Linn offered the following amendment H—4064 filed by him and moved its adoption:

H—4064

- 1 Amend House File 734 as follows:
- 2 1. Page 12, line 24, by inserting after the word
- 3 and figure "six (6)" the words "and to investigate
- 4 the feasibility and suitability of using Iowa coal
- 5 for household heating and supplemental heating
- 6 purposes".

Amendment H—4064 lost.

Howell of Floyd offered the following amendment H—3866 filed by him and moved its adoption:

H—3866

- 1 Amend House File 734 as follows:
- 2 1. Page 13, by inserting after line 19 the
- 3 following:
- 4 "It is the intent of the general assembly that
- 5 the energy policy council give highest priority to
- 6 development of programs, including financial

7 incentives and disincentives, designed to curtail
8 use of the private automobile and encourage use
9 of urban mass transit systems by members of the
10 public in order to conserve diminishing supplies
11 of gasoline and meet the current projected amount
12 by which available supplies of gasoline will fall
13 short of demand in 1979.

A non-record roll call was requested.

The ayes were 38, nays 48.

Amendment H—3866 lost.

Woods of Polk offered the following amendment H—3851 filed
by Woods, et al.:

H—3851

1 Amend House File 734 as follows:
2 1. Page 16, by inserting after line 32 the
3 following:
4 "Sec. 18. Chapter one hundred seventy-three (173),
5 Code 1979, is amended by adding the following new
6 section:
7 NEW SECTION. PARI-MUTUEL OPERATIONS.
8 1. The board shall promulgate rules providing
9 the conditions under which the pari-mutuel system
10 of wagering may be conducted in this state. The rules
11 shall provide who may accept and receive wagers, the
12 locations at which wagers may be taken, the sporting
13 events upon which wagers may be placed, and other
14 conditions deemed appropriate by the board.
15 2. For the purposes of this Act the pari-mutuel
16 system of wagering is that in which the person placing
17 a wager on a particular finish of a sporting event
18 acquires an interest in the total money wagered on
19 all the finishes of that type in that sporting event
20 in proportion to the money wagered by that person.
21 3. The board shall prepare the rules authorized
22 by this section and submit them to the general assembly
23 by February 25, 1980. A rule adopted under the
24 authority of this section shall not become effective
25 until July 1, 1980.
26 Sec. 19. Section ninety-nine A point two (99A.2),
27 unnumbered paragraph one (1), Code 1979, is amended
28 to read as follows:
29 The intentional possession or willful keeping of
30 a gambling device upon any licensed premises, except
31 as authorized by section eighteen (18) of this Act,
32 is cause for the revocation of any license upon the

33 premises where the gambling device is found.
34 Possession by an employee of the licensee on the
35 premises of the licensee shall give rise to the
36 presumption of intentional possession by the licensee.
37 Sec. 20. Section five hundred thirty-seven A point
38 four (537A.4), unnumbered paragraph one (1), Code
39 1979, is amended to read as follows:

40 All promises, agreements, notes, bills, bonds,
41 or other contracts, mortgages or other securities,
42 when the whole or any part of the consideration thereof
43 is for money or other valuable thing won or lost,
44 laid, staked, or bet, at or upon any game of any kind
45 or on any wager, except as authorized by section
46 eighteen (18) of this Act, are absolutely void and
47 of no effect.

48 Sec. 21. Chapter seven hundred twenty-five (725),
49 Code 1979, is amended by adding the following new
50 section:

Page 2

1 **NEW SECTION.** Nothing in this chapter shall be
2 construed to prohibit the establishment and operation
3 of pari-mutuel betting as authorized by section
4 eighteen (18) of this Act."

5 2. By renumbering the sections to conform with
6 this amendment.

Dieleman of Marion rose on a point of order that amendment
H-3851 was not germane.

The Speaker ruled the point well taken and amendment
H-3851 not germane.

Chiodo of Polk moved that the rules be suspended to adopt
amendment H-3851.

Roll call was requested by Chiodo of Polk and Byerly of Polk.

Rule 80 was invoked.

On the question "Shall the rules be suspended to adopt amend-
ment H-3851?"

The ayes were, 32:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Crabb	Cusack
Davitt	Doyle	Gettings	Hall
Halvorson, R.N.	Hibbs	Horn	Jesse
Jochum	Krewson	Lura	Patchett
Pavich	Perkins	Rapp	Sherzan
Walter	Wells	Welsh	Woods

The nays were, 58:

Anderson, J.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Groth	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Holt
Howell	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Pellet	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 10:

Connors	Hullinger	Jay	Kirkenslager
Lind	O'Kane	Oxley	Pelton
Poffenberger	West		

The motion lost.

Cochran of Webster offered the following amendment H—3885 filed by Cochran, et al., and moved its adoption:

H—3885

- 1 Amend House File 734 as follows:
- 2 1. Page 20, by striking line 28 and inserting in
- 3 lieu thereof the following:
- 4 "Act.....\$ 7,000,000 \$ 7,000,000"

Roll call was requested by Cochran of Webster and Avenson of Fayette.

Rule 80 was invoked.

On the question "Shall amendment H—3885 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Pellet	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 5:

Connors	Kirkenslager	Larsen	Mullins
Pelton			

Amendment H—3885 lost.

Schroeder of Pottawattamie offered the following amendment H—4052 filed by him:

H—4052

- 1 Amend House File 734 as follows:
- 2 1. Page 20, line 28, by inserting after the word
- 3 "Act" the words "and for the payment of not more than

- 4 nine thousand nine hundred dollars for settlement of a
- 5 judgment against the Cass county soil conservation
- 6 district in favor of Lowell Johnson for contract work
- 7 on the Crooked Creek watershed".

Smalley of Polk rose on a point of order and requested whether or not the bill would require a two-thirds vote with the adoption of amendment H—4052.

The Speaker ruled that with the adoption of an amendment of a private retro-active nature that a vote of two-thirds of both houses of the General Assembly would be necessary on the bill to make the provisions of that amendment effective.

Schroeder of Pottawattamie moved the adoption of amendment H—4052.

Roll call was requested by Husak of Tama and Hibbs of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H—4052 be adopted?"

The ayes were, 43:

Anderson, J.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, J.H.	Connolly	Cusack	Daggett
Danker	Davitt	Dieleman	Diemer
Doyle	Gettings	Hall	Halvorson, R.N.
Hinkhouse	Horn	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Rapp
Ritsema	Schroeder	Sherzan	Shull
Walter	Wells	Welsh	

The nays were, 48:

Anderson, R.	Bennett	Branstad	Clark, B.J.
Cochran	Conlon	Corey	Crabb
De Groot	Egenes	Evans	Groth
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Höwell
Hullinger	Hummel	Husak	Johnson, J.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby

McKean	Menke	Poffenberger	Pope
Schnekloth	Shimaneck	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

Absent or not voting, 9:

Chiodo	Connors	Crawford	Johnson, R.
Kirkenslager	Mullins	Pelton	Welden
Woods			

Amendment H—4052 lost.

(House File 734 pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 11:56 a.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for the remainder of the day on request of Bina of Scott.

HOUSE CONCURRENT RESOLUTION 18

By Perkins

- 1 *Whereas*, the general assembly pursuant to chapter one
- 2 thousand nine (1009), section one (1) of the Acts of the
- 3 General Assembly, 1978 session, created a committee to
- 4 supervise the preparation of a comprehensive master plan
- 5 for development of the state fair; and
- 6 *Whereas*, the committee has fulfilled its duties and
- 7 there is on file with the state fair board an economic
- 8 and physical analysis of the redevelopment and relocation
- 9 alternatives for the future development of the state fair
- 10 including the alternatives required by chapter one
- 11 thousand nine (1009) of the Acts of the General Assembly,
- 12 1978 session; and
- 13 *Whereas*, the report concludes and the committee
- 14 recommends, first, that the fairgrounds remain at its
- 15 present location and be redeveloped; but that in order
- 16 to do so legislation must be enacted which would allow
- 17 a horse racing program at the Iowa state fairgrounds

18 with parimutuel wagering in order that the state fair
19 will be self-sufficient economically and an appropri-
20 ation of \$90,000 for implementation of the detailed
21 master plan be made by the legislature; or secondly,
22 if parimutuel wagering is not authorized for races
23 at the state fairgrounds, a redevelopment program of
24 the present state fairgrounds be pursued to insure future
25 viability of the state fair and which will require an
26 estimated appropriation of \$15,500,000 of which an
27 estimated \$7,100,000 will be from the general fund of
28 the state and \$8,400,000 will be recoverable from state
29 fair board revenues, both expenditures measured in 1979
30 dollars, and an appropriation of \$90,000 for implementation
31 of a detailed master plan be made; and

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1 *Whereas*, the report concludes and the committee
2 agrees that if no major redevelopment is undertaken,
3 fair attendance will continue to decline and state
4 appropriations required to avoid complete deteriora-
5 tion of the facilities will continue to increase in
6 which case the committee recommends that state funding
7 of the state fair be phased out; and

8 *Whereas*, it is appropriate that the conclusions of
9 the committee created by the general assembly be reported
10 to the members of the Sixty-eighth General Assembly
11 meeting in the year 1979; *Now Therefore*,

12 *Be It Resolved by the House of Representatives, the*
13 *Senate Concurring*, That this resolution is considered to
14 be a summary report of the committee created by chapter one
15 thousand nine (1009), Acts of the General Assembly, 1978
16 session, for the purpose of notifying the members of the
17 general assembly of the conclusions of the committee; and

18 *Be It Further Resolved*, That although the committee
19 is recommending action by the general assembly in
20 the order in which listed in this resolution, this
21 resolution is not intended to be binding upon the
22 general assembly and its approval shall not constitute
23 approval of the recommendations.

Laid over under Rule 30.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-eight members present, twelve absent.

BUSINESS PENDING

The House resumed consideration of **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research.

Cochran of Webster offered the following amendment H—3858 filed by him and Lloyd-Jones of Johnson:

H—3858

- 1 Amend House File 734 as follows:
- 2 1. Page 20, by inserting after line 28 the
- 3 following:
- 4 "5. For salaries and
- 5 support of the continuation
- 6 of the position of the
- 7 executive secretary of the
- 8 temporary state land
- 9 preservation policy
- 10 commission and one
- 11 clerical position.....\$49,696

Speaker pro tempore Harbor of Mills in the chair at 2:04 p.m.

Cochran of Webster moved the adoption of amendment H—3858.

A non-record roll call was requested.

The ayes were 34, nays 53.

Amendment H—3858 lost.

Miller of Buchanan offered the following amendment H—4077 filed by him and Pellett of Cass and moved its adoption:

H—4077

- 1 Amend House File 734 as follows:
- 2 1. Page 20, line 28, by inserting after the word
- 3 "Act" the words "and to provide not more than ten

4 percent of the funds appropriated by this subsection
5 for incentive payments for minimum or mulch tillage
6 on a per acre basis, as determined by rule by the
7 state soil conservation committee, to encourage
8 erosion control on land that is row cropped”.

A non-record roll call was requested.

The ayes were 48, nays 36.

Amendment H—4077 was adopted.

Perkins of Greene asked and received unanimous consent to withdraw amendment H—3859 (to page 21) filed by him on April 10, 1979.

Pellett of Cass offered the following amendment H—3884 filed by Pellett, et al.:

H—3884

1 Amend House File 734 as follows:
2 1. Page 21, by inserting after line 3 the
3 following:
4 “ . There is appropriated from the general
5 fund of the state for fiscal year beginning July 1,
6 1979 and ending June 30, 1980 to the department of
7 soil conservation the sum of five thousand (5,000)
8 dollars for reimbursement for actual and necessary
9 expenses and a per diem of forty dollars a day for
10 members of the temporary state land preservation
11 policy commission or other persons who are requested
12 and who appear before a legislative study committee
13 or subcommittee of a standing committee of the
14 Iowa general assembly studying land preservation
15 policy. Unencumbered or unobligated funds remaining
16 on June 30, 1980 shall revert to the general fund as
17 provided for in section eight point thirty-three (8.33)
18 of the Code.”

Cochran of Webster offered the following amendment H—4076, to amendment H—3884, filed by him and Lloyd-Jones of Johnson and moved its adoption:

H—4076

1 Amend the amendment H—3884 to House File 734 as
2 follows:

3 1. Page 1, line 15, by inserting after the word
4 "policy" the words and figure "and the sum of fifteen
5 thousand (15,000) dollars for consulting services
6 approved by the legislative council for that legisla-
7 tive study committee or subcommittee of a standing
8 committee".

A non-record roll call was requested.

The ayes were 39, nays 44.

Amendment H—4076 lost.

Pellett of Cass moved the adoption of amendment H—3884.

Amendment H—3884 was adopted.

Perkins of Greene offered the following amendment H—4046
filed by Perkins, et al. :

H—4046

1 Amend House File 734 as follows:
2 1. Page 21, by inserting after line 3 the
3 following:
4 "Sec. 20. Chapter four hundred sixty-seven A
5 (467A), Code 1979, is amended by adding the following
6 new section:
7 NEW SECTION. Every owner of agricultural land
8 as defined in section four hundred twenty-six point
9 two (426.2) of the Code shall enter into an agreement
10 by July 1, 1985 for implementing soil and water
11 conservation practices with the respective soil
12 conservation district and shall be in compliance by
13 January 1, 1990 with soil loss limits determined
14 by the respective soil conservation district. After
15 January 1, 1990, agricultural land as defined in
16 section four hundred twenty-six point two (426.2)
17 of the Code which exceeds the soil loss limits shall
18 not be eligible for the agricultural land tax credit
19 provided for in chapter four hundred twenty-six (426)
20 of the Code for taxes due and payable in the fiscal
21 year beginning July first following the certifica-
22 tion by the soil conservation district that the land
23 exceeds the soil loss limits. The soil conservation
24 district shall certify to the appropriate county
25 auditor those tracts of agricultural land which are
26 not eligible for the agricultural land tax credit.
27 After receipt of such certification by the county

28 auditor he or she shall disallow the amount of the
29 agricultural land tax credit which has been certified
30 by him or her under section four hundred twenty-six
31 point six (426.6) of the Code for that tract of
32 agricultural land for taxes due and payable in the
33 coming fiscal year. The county auditor shall notify
34 the state comptroller the amount of the agricultural
35 land tax credit certified under section four hundred
36 twenty-six point six (426.6) of the Code for the
37 coming fiscal year which the county auditor has
38 disallowed because of receipt of certification by
39 the soil conservation district that the agricultural
40 land exceeds the soil loss limits.

41 Sec. 21. Section four hundred sixty-seven A point
42 forty-four (467A.44), Code 1979, is amended by adding
43 the following new subsection:

44 NEW SUBSECTION. Establish rules for entering into
45 soil and water conservation practices agreements as
46 provided in section twenty (20) of this Act, for
47 certifying noncompliance with soil loss limits and
48 for appealing the certification of such noncompliance."

49 2. By numbering and renumbering as required by
50 this amendment.

Welden of Hardin rose on a point of order that amendment H—4046 was not germane.

The Speaker ruled the point well taken and amendment H—4046 not germane, placing out of order amendment H—4058 (to amendment H—4046) filed by Norland of Worth and Perkins of Greene on April 23, 1979.

Perkins of Greene moved that the rules be suspended for the consideration of amendment H—4046.

A non-record roll call was requested.

The ayes were 37, nays 50.

The motion lost.

Kirkenslager of Des Moines asked and received unanimous consent to withdraw amendment H—4071 (to page 11) filed by Kirkenslager, et al., on April 23, 1979.

Byerly of Polk offered the following amendment H—4070 filed by Byerly, et al. :

H—4070

1 Amend House File 734 as follows:

2 1. Page 11, by inserting after line 11 the
3 following:

4 "Sec. . Section four hundred forty-one point
5 twenty-two (441.22), Code 1979, is amended by adding
6 the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Land in tracts of ten
8 acres or less which consist of marshes, sloughs, wild
9 prairie, or forested areas along the banks of rivers
10 which extend up to twenty-five feet from the high
11 water mark of the river or land used exclusively to
12 provide vegetative cover for wind erosion control
13 shall be assessed at a taxable valuation of fifteen
14 dollars per acre, provided that the land shall not
15 be used for the production of crops, pasturing of
16 livestock, or otherwise used, leased, or rented for
17 profit. The owner of the property shall assist the
18 assessor as provided in section four hundred forty-
19 one point nineteen (441.19) of the Code in the listing
20 of the property by filing a statement with the as-
21 sessor identifying any tracts of land of ten or less
22 acres which consist of marshes, sloughs, wild prairie,
23 or forested areas along the banks of rivers or land
24 used exclusively to provide vegetative cover for wind
25 erosion control which may be assessed at a taxable
26 value of fifteen dollars per acre. The assessor shall
27 take a sworn statement from the owner of the land
28 that the land is not used by the owner of the land
29 for profit or otherwise leased or rented for profit.
30 The county auditor shall keep a record of all land
31 in tracts of ten or less acres which consist of
32 marshes, sloughs, wild prairie, or forested areas
33 along the banks of a river or land used exclusively
34 to provide vegetative cover for wind erosion control
35 which are assessed at a taxable value of fifteen
36 dollars per acre. However, an assessment under this
37 paragraph shall not be allowed if extending the
38 assessment to that property would result in more than
39 one-half of one percent of the taxable value of the
40 property in the county as determined without regard
41 to this paragraph being assessed under this paragraph."

42 2. By renumbering the sections to conform with
43 this amendment.

Welden of Hardin rose on a point of order that amendment
H—4070 was not germane.

The Speaker ruled the point well taken and amendment
H—4070 not germane.

Byerly of Polk moved that the rules be suspended to consider and adopt amendment H—4070.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question “Shall the rules be suspended to consider and adopt amendment H—4070?”

The ayes were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O’Kane	Oxley	Patchett	Pavich
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 48:

Anderson, J.	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Doyle	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	McKean
Menke	Pellett	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Swearingen	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Harbor)

Absent or not voting, 14:

Arnould	Bennett	Connors	Hullinger
Kirkenslager	Lind	Millen	Mullins
Pelton	Perkins	Poffenberger	Rapp
Stromer	Thompson		

The motion lost.

Patchett of Johnson offered the following amendment H—4072 filed by Patchett, et al., and moved its adoption:

H-4072

1 Amend House File 734 as follows:

2 1. Page 11, by inserting after line 11 the
3 following:

4 "Sec. 10. Chapter one hundred eleven (111), Code
5 1979, is amended by adding sections eleven (11) through
6 seventeen (17) of this Act.

7 Sec. 11. NEW SECTION. DEFINITIONS. As used in
8 sections eleven (11) through seventeen (17) of this
9 Act, unless the context otherwise requires:

10 1. "Commission" means the state conservation
11 commission.

12 2. "Park custodian" means an officer or other
13 employee of the state conservation commission who
14 is responsible for the management of a public park
15 or preserve under the jurisdiction of the state
16 conservation commission.

17 3. "Advisory committee" means a state park advisory
18 committee.

19 4. "State park" means a public park or preserve
20 under the jurisdiction of the state conservation
21 commission.

22 Sec. 12. NEW SECTION. ADVISORY COMMITTEES CREATED.

23 The state conservation commission shall provide, by
24 rule, for the creation of state park advisory
25 committees to advise the commission on matters relating
26 to the development and management of state parks,
27 for the election of members to the advisory committees,
28 and for the conducting of advisory committee meetings.
29 The commission shall determine the number of advisory
30 committees needed to carry out the provisions of this
31 Act, except that no more than one state park having
32 an area of three hundred acres or more shall be
33 assigned to the same advisory committee. The
34 commission shall also determine the number of members
35 of each advisory committee in addition to a minimum
36 membership of five, the term of office of the
37 membership, and other matters relating to the operating
38 procedures of the advisory committees. In determining
39 the number of advisory committees and the number of
40 members of each advisory committee, the commission
41 shall consider the number and the size of state parks,
42 the proximity of the state parks which are assigned
43 to the same advisory committee, the type of
44 recreational facilities available at the state parks,
45 the degree to which the state parks are developed,
46 and the number of persons visiting or using a state
47 park annually.

48 Sec. 13. NEW SECTION. ELECTION OF MEMBERSHIP.

49 The commission shall provide for the nomination and
50 election of the members of each advisory committee

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1 at two separate public meetings held at least one
2 week apart. The commission shall give at least one-
3 week public notice of the date, location, and time
4 of each public meeting, the first meeting to be
5 conducted for the purpose of receiving nominations
6 for membership and the second meeting to be conducted
7 for the purpose of receiving additional nominations
8 and electing the advisory committee membership. Any
9 elector of the state shall be eligible for membership
10 on an advisory committee.

11 The commission shall determine, by rule, the
12 procedures for the nomination and election of the
13 members to the advisory committees. The commission
14 shall base its rules for the nomination and election
15 of advisory committee members and the conduct of
16 public meetings under this Act on Robert's Rules of
17 Order.

18 Sec. 14. NEW SECTION. DUTIES OF ADVISORY
19 COMMITTEES. The duties of an advisory committee shall
20 be as follows:

- 21 1. To organize itself and conduct its meeting
22 according to uniform procedures adopted by the
23 commission.
- 24 2. To evaluate periodically the development and
25 management of each state park assigned to it.
- 26 3. To assist the commission in long-range planning
27 for each state park assigned to it.
- 28 4. To recommend improvements to each state park
29 assigned to it.
- 30 5. To recommend priorities for budgetary
31 expenditures.
- 32 6. To establish a system of communication between
33 the commission and the users of a state park.
- 34 7. To assist the commission in obtaining funds
35 from private sources for the maintenance or development
36 of a state park.

37 Sec. 15. NEW SECTION. DUTIES OF PARK CUSTODIAN.
38 A park custodian or other designee of the commission
39 shall attend each advisory committee meeting, keep
40 records of each meeting, and report the advice and
41 recommendations of the advisory committee to the
42 commission. The commission shall provide the
43 facilities, supplies, and equipment needed by the
44 advisory committees to accomplish their advisory
45 duties.

46 Sec. 16. NEW SECTION. COMPENSATION. A member
47 of an advisory committee shall receive no compensation
48 nor expense reimbursement for services as an advisory
49 committee member under this Act.

50 Sec. 17. NEW SECTION. RULES. The rules prescribed

Page 3

1 by the commission under this Act shall be adopted
 2 as provided in chapter seventeen A (17A) of the Code.
 3 Sec. 18. Expenses of the state park advisory
 4 committee incurred under sections eleven (11) through
 5 seventeen (17) of this Act during the fiscal biennium
 6 beginning July 1, 1979 and ending June 30, 1981 shall
 7 be paid from funds appropriated to the state
 8 conservation commission under section three (3) of
 9 this Act."
 10 2. By renumbering sections to conform to this
 11 amendment.

A non-record roll call was requested.

The ayes were 37, nays 48.

Amendment H—4072 lost.

Perkins of Greene offered the following amendment H—4073
 filed by him and Clark of Cerro Gordo and moved its adoption:

H—4073

1 Amend House File 734 as follows:
 2 1. Page 11, line 22, by striking the word
 3 "fifty-seven" and inserting in lieu thereof the
 4 word "fifty-nine".

Amendment H—4073 was adopted.

Tofte of Winneshiek 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. 734)

The ayes were, 88:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann

Holt	Horn	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lloyd-Jones	Loneragan
Lorenzen	Maulsby	McKean	Menke
Millen	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Poffenberger	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker (Harbor)

The nays were, 5:

Branstad	Conlon	Halvorson, R.N.	Larsen
Lura			

Absent or not voting, 7:

Arnould	Chiodo	Hullinger	Lind
Pelton	Perkins	Pope	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 734)

Welden of Hardin asked and received unanimous consent to immediately message House File 734 to the Senate.

APPROPRIATIONS CALENDAR

House File 738, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense, was taken up for consideration.

Hinkhouse of Cedar offered the following amendment H-3899 filed by him and moved its adoption:

H-3899

- 1 Amend House File 738 as follows:
- 2 1. Page 1, line 27, by striking the figure "40,000"
- 3 and inserting in lieu thereof the figure "80,000".

Amendment H—3899 lost.

O'Kane of Woodbury offered the following amendment H—3895 filed by him:

H—3895

1 Amend House File 738 as follows:
2 1. Page 5, by striking lines 23 through 30 and
3 inserting in lieu thereof the following new paragraph:
4 "c. It is the intent of
5 the general assembly that
6 the department of public
7 safety shall prepare a
8 plan for the consolidation
9 of base radio stations in
10 this state and that the
11 department shall submit
12 its report and recom-
13 mendations to the
14 general assembly not
15 later than January 15, 1980.
16 A base radio station in opera-
17 tion on the effective date of
18 this Act shall not be closed
19 or consolidated with another
20 base radio station until its
21 report and recommendations
22 have been submitted to the
23 general assembly for its
24 review."

Wells of Linn offered the following amendment H—3930, to amendment H—3895, filed by him and moved its adoption:

H—3930

1 Amend H—3895 to House File 738 as follows:
2 1. Page 1, line 14, by striking the words
3 "general assembly" and inserting in lieu thereof
4 the following: "police communications review
5 committee".
6 2. Page 1, line 23, by striking the words
7 "general assembly" and inserting in lieu thereof
8 the following: "police communications review
9 committee."

Amendment H—3930 was adopted.

O'Kane of Woodbury moved the adoption of amendment H—3895, as amended.

Amendment H—3895, as amended, lost.

Pavich of Pottawattamie offered the following amendment H—4049 filed by Pavich, et al., and moved its adoption:

H—4049

1 Amend House File 738 as follows:

2 1. Page 5, line 35, by striking the word "seventy-
3 nine" and inserting in lieu thereof the word "eighty".

4 2. Page 6, by striking line 17 and inserting in
5 lieu thereof the following:

6 "division.....\$1,231,750 \$1,237,750".

7 3. Page 6, line 21, by striking the word "one"
8 and inserting in lieu thereof the word "two".

9 4. Page 6, lines 22 and 23, by striking the word
10 "investigator" and inserting in lieu thereof the word
11 "investigators".

Roll call was requested by Pavich of Pottawattamie and Bina of Scott.

On the question "Shall amendment H—4049 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Husak	Jay
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Walter
Wells	Woods		

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, R.	Johnson, W.	Kirkenslager	Krewson

Lageschulte	Lorenzen	Maulsby	McKean
Menke	Mullins	Pellett	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker (Harbor)

Absent or not voting, 14:

Cusack	Danker	Evans	Hullinger
Jesse	Johnson, J.	Larsen	Lind
Lura	Millen	Pelton	Perkins
Welsh	West		

Amendment H — 4049 lost.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions thereto on House File 738.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 52, nays 39.

The motion prevailed.

Bina of Scott asked and received unanimous consent to withdraw amendment H — 3894 (to page 6) filed by him on April 12, 1979.

Bina of Scott offered the following amendment H — 4012 filed by him and moved its adoption:

H — 4012

- 1 Amend House File 738 as follows:
- 2 1. Page 6, by striking lines 18 through 29 and
- 3 inserting in lieu thereof the following new paragraph:
- 4 "b. It is the intent
- 5 of the general assembly
- 6 that the fire marshal shall
- 7 employ two additional arson
- 8 investigators for the fiscal
- 9 biennium with salary and other

- 10 benefits to be paid from funds
 11 appropriated pursuant to para-
 12 graph a of this subsection
 13 and that the department of
 14 public safety shall reduce the
 15 current force of seven capitol
 16 security patrol officers to
 17 five capitol security patrol
 18 officers for the fiscal biennium."

Roll call was requested by Bina of Scott and Walter of Pottawattamie.

On the question "Shall amendment H—4012 be adopted?"

The ayes were, 35:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Conlon	Connolly	Connors
Davitt	Dieleman	Gettings	Groth
Halvorson, R.N.	Hinkhouse	Horn	Howell
Husak	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Pavich	Rapp	Smalley
Walter	Welsh	Woods	

The nays were, 51:

Anderson, J.	Branstad	Clark, B.J.	Clark, J.H.
Corey	Crabb	Crawford	Daggett
De Groot	Diemer	Doyle	Egenes
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Maulsby	McKean	Menke	Mullins
Pellett	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Sherzan	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	Mr. Speaker (Harbor)	

Absent or not voting, 14:

Bennett	Cochran	Cusack	Danker
Evans	Hullinger	Jesse	Lind
Lura	Millen	Patchett	Pelton
Schroeder	West		

Amendment H—4012 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson for the remainder of the day on request of Binneboese of Plymouth.

Hoffmann of Muscatine offered the following amendment H—3906 filed by her and moved its adoption:

H—3906

- 1 Amend House File 738 as follows:
- 2 1. Page 8, lines 12, 13, and 14, by striking the
- 3 words "department of public safety for the".

Amendment H—3906 was adopted.

Speaker Millen in the chair at 4:54 p.m.

Horn of Linn offered the following amendment H—4075 filed by him and moved its adoption:

H—4075

- 1 Amend House File 738 as follows:
- 2 1. Page 9, by striking lines 20 through 25.
- 3 2. Renumber sections and correct internal
- 4 references as are necessary in accordance with this
- 5 amendment.

Roll call was requested by Pope of Polk and Hibbs of Johnson.

On the question "Shall amendment H—4075 be adopted?"

The ayes were, 20:

Arnould	Bina	Binneboese	Byerly
Chiodo	Conlon	Connolly	Connors
Gettings	Horn	Husak	Jay
Johnson, J.	Lloyd-Jones	Miller	O'Kane
Walter	Wells	Welsh	Woods

The nays were, 63:

Anderson, J.	Avenson	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Jochum
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Norland	Oxley	Pellett
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Mr. Speaker	

Absent or not voting, 17:

Anderson, R.	Bennett	Bruner	Cochran
Davitt	Doyle	Evans	Hinkhouse
Howell	Hullinger	Jesse	Lind
Patchett	Pavich	Pelton	Perkins
West			

Amendment H—4075 lost.

Horn of Linn offered the following amendment H—4080 filed by him and moved its adoption:

H—4080

- 1 Amend House File 738 as follows:
- 2 1. Page 9, line 23, by striking the figure "1975"
- 3 and inserting in lieu thereof the figure "1979".
- 4 2. Page 9, line 25, by inserting after the word
- 5 "funds" the words "available to the highway safety
- 6 patrol through the federal highway safety program.
- 7 The twenty additional members will implement the speed
- 8 enforcement counter measures program".

A non-record roll call was requested.

The ayes were 22, nays 51.

Amendment H—4080 lost.

Horn of Linn offered the following amendment H—4078 filed by him:

H-4078

1 Amend House File 738 as follows:
2 1. Page 9, by inserting after line 34 the following
3 new subsection:
4 " . The department of public safety may use
5 unmarked police vehicles, however, peace officers
6 operating out of an unmarked police vehicle shall
7 not stop a motor vehicle to issue a warning ticket,
8 a traffic ticket or make an arrest for a traffic
9 violation."

Harbor of Mills rose on a point of order that amendment H-4078 was not germane.

The Speaker ruled the point well taken and amendment H-4078 not germane.

Horn of Linn offered the following amendment H-4079 filed by him and Brandt of Black Hawk:

H-4079

1 Amend House File 738 as follows:
2 1. Page 9, by inserting after line 34 the following
3 new subsection:
4 " . At least fifty percent of all peace officers
5 employed by the department of public safety after
6 July 1, 1979, shall be either a woman or a member
7 of a racial minority. Unless the provisions of this
8 subsection are complied with, funds appropriated for
9 salaries under the provisions of this Act to the
10 department of public safety shall not be used for
11 such purposes."

Johnson of Linn rose on a point of order that amendment H-4079 was not germane.

The Speaker ruled the point not well taken and amendment H-4079 germane.

The following amendment H-4099, to amendment H-4079, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-4099

- 1 Amend amendment H-4079, to page 9 of House File
- 2 738, as follows:
- 3 1. Page 1, line 5, by striking the word
- 4 "employed" and inserting in lieu thereof the word
- 5 "appointed".

Horn of Linn moved the adoption of amendment H-4079, as amended.

A non-record roll call was requested.

The ayes were 11, nays 67.

Amendment H-4079, as amended, lost.

Hoffmann of Muscatine offered the following amendment H-3891 filed by Hoffmann, et al.:

H-3891

- 1 Amend House File 738 as follows:
- 2 1. Page 10, by inserting after line 12 the
- 3 following new subsection:
- 4 "2. For the mass transit
- 5 project for state employees\$75,000\$
- 6 a. The project shall
- 7 subsidize twenty-five
- 8 percent of the cost of mass
- 9 transportation for state
- 10 employees if the state
- 11 employees agree to abstain
- 12 from parking their motor
- 13 vehicles on state property
- 14 at their job site. In
- 15 allocating funds appropriated
- 16 by this subsection to continue
- 17 the state assistance program,
- 18 the department shall review
- 19 each allocation to determine
- 20 whether the allocation should
- 21 be revised where a public
- 22 transit has received funds
- 23 for the continuation and
- 24 further development of a mass
- 25 transit project for state
- 26 employees.
- 27 b. The state department

28 of transportation shall report
 29 to the subcommittee on transporta-
 30 tion and law enforcement not later
 31 than February 1, 1980 on future
 32 needs of the state employee
 33 transportation subsidy program."
 34 2. Renumber sections and correct internal
 35 references as are necessary in accordance with this
 36 amendment.

Davitt of Warren offered the following amendment H—3933, to amendment H—3891, filed by him and Lloyd-Jones of Johnson and moved its adoption:

H—3933

1 Amend amendment H—3891 to page 10 of House
 2 File 738 as follows:
 3 1. Page 1, line 5, by striking the figure
 4 "75,000" and inserting in lieu thereof the figure
 5 "100,000".

Roll call was requested by Davitt of Warren and O'Kane of Woodbury.

On the question "Shall amendment H—3933, to amendment H—3891, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Shull
Spear	Walter	Wells	Woods

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt

Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Welsh	Mr. Speaker		

Absent or not voting, 6:

Crabb	Evans	Lind	Patchett
Pelton	West		

Amendment H—3933 lost.

(House File 738 and amendment H—3891 pending at adjournment.)

MOTION TO RECONSIDER WITHDRAWN (Senate File 462)

Daggett of Taylor asked and received unanimous consent to withdraw the motion to reconsider Senate File 462 filed by him on April 17, 1979.

HOUSE CONCURRENT RESOLUTION 19

By Egenes, Hoffmann, Pavich
and Woods

- 1 *Whereas*, there may be a need to preserve aban-
- 2 doned railroad rights-of-way for future railroad,
- 3 transportation and recreational uses; and
- 4 *Whereas*, during the past year the state's ship-
- 5 pers have seen one of the worst shortages of rail-
- 6 road cars in recent times; and
- 7 *Whereas*, the state railroad assistance program
- 8 may not be extensive enough to maintain and upgrade
- 9 the lines and switching yards of the state's deteri-
- 10 orating railroad system; Now Therefore,
- 11 *Be It Resolved By The House Of Representatives,*
- 12 *The Senate Concurring*, That the Legislative
- 13 Council create a joint subcommittee composed of mem-
- 14 bers representing the respective Committees on Trans-
- 15 portation, to undertake a study during the 1979 interim
- 16 relating to the uses of abandoned railroad rights-of-
- 17 way, the future needs of the railroad assistance fund,
- 18 and to review the problems relating to the shortage
- 19 of railroad cars; and

20 *Be It Further Resolved*, That the joint subcom-
21 mittee prepare a report accompanied by bill drafts
22 designed to carry out its recommendations and the
23 report be submitted to the Legislative Council and
24 the General Assembly meeting in the year 1980.

Laid over under Rule 30.

APPOINTMENT TO CAPITOL PLANNING COMMISSION

Speaker Millen announced the reappointment of Representative W. W. "Bill" Dieleman of Marion County to the Capitol Planning Commission to a term expiring April 30, 1983, pursuant to Section 18A.2 of the Code.

APPOINTMENTS TO INTERSTATE CO-OPERATION COMMISSION

Speaker Millen announced the reappointment of the following representatives to the Interstate Co-operation Commission pursuant to Section 28B.1 of the Code: Representative Diane Brandt of Black Hawk County, Representative Frank Crabb of Crawford County, Representative Herbert C. Hinkhouse of Cedar County, Representative Lester D. Menke of O'Brien County and Representative James C. West of Marshall County.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 23, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 198, an act relating to eligibility of municipal fire and police personnel for workers' compensation.

House file 304, an act permitting latch-open devices on fuel hose nozzle valves.

House File 499, an act relating to the payment of hospitalization and medical benefits for certain retired employees or police and fire departments.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the

House and the President of the Senate, and presented to the Governor for his approval on this 24th day of April, 1979: House Files 93, 153, 337, 374, 683 and 729.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

Thompson of Polk presented to the House June and Philip Boobyer, a Rotary International Exchange couple from Durham, England. They were accompanied by Elmer True and Nancy Rhodes.

The Speaker announced that the following visitors were present in the House chamber:

Thirty-four eighth grade students from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Dave Andreasen and Joe Valenta. By Diemer of Black Hawk and Brandt of Black Hawk.

Fifty-four sixth grade students from Corning Elementary School, Corning, Iowa, accompanied by Mrs. Kimball, Mrs. Hanna and Mr. Burt. By Daggett of Taylor and Pellett of Cass.

Seventy-six eleventh grade students from North High School, Sioux City, Iowa, accompanied by Larry Twait. By Binneboese of Plymouth and Representatives Doyle, O'Kane and Johnson of Woodbury.

Fifty-five sixth grade students from Logan-Magnolia Elementary School, Logan, Iowa, accompanied by Mrs. Kirkpatrick, Mr. Rider and Lowell Aarps. By Crabb of Crawford.

Forty-seven fifth grade students from Lincoln Community Elementary School, Mechanicsville, Iowa, accompanied by Marie Christian and Gladys Rife. By McKean of Jones and Hinkhouse of Cedar.

One hundred twenty students from Lewis Central School, Council Bluffs, Iowa, accompanied by Mrs. Lydon, Mrs. Darrington, Miss Gray and Mr. Busch. By Pavich of Pottawattamie and Walter of Pottawattamie.

Forty-six students from Dubuque Hempstead High School, Dubuque, Iowa, accompanied by Don Ruden. By Representatives Jochum, Connolly and Welsh of Dubuque.

Eighty eighth grade students from Peet Junior High School, Cedar Falls, Iowa, accompanied by Carolyn Haurum. By Diemer of Black Hawk and Brandt of Black Hawk.

Eight government students from Marshalltown Community College, Marshalltown, Iowa, accompanied by Bert Permar. By Lura of Marshall and West of Marshall.

Five government students from North Iowa Area community College, Mason City, Iowa. By Norland of Worth and Clark of Lee.

COMMUNICATIONS

IOWA STATE HISTORICAL DEPARTMENT

The Second Biennial Report of the Iowa State Historical Department has been received and is on file in the office of the Chief Clerk.

IOWA DEPARTMENT OF JOB SERVICE

There is on file in the office of the Chief Clerk the second Actuarial Report of the Iowa Job Insurance System as of December 31, 1978 pursuant to Chapter 54, Section 39, session laws of the Sixty-seventh General Assembly. Also A Resource Handbook of Facts and Figures submitted by the Iowa Department of Job Service.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday, April 20. Had I been present, I would have voted "aye" on Senate Files 98, 203, 447 and 456 and "nay" on the motion to reconsider Senate File 299.

DE GROOT of Lyon

On Friday afternoon, April 20, I accompanied Davenport Mayor Charles Wright to Dubuque, Iowa. Had I been present I would have voted "aye" on Senate Files 4, 464, 424, 293, 164, 438, 29, 88, 294, 135,

203, 98, 447, 456, 299 and amendment H—4022 to Senate File 464. I would have voted “nay” on Senate File 183.

BINA of Scott

On April 20, from 11:30 - 12:45, I met with officials from the regional office of the federal Department of Health, Education and Welfare at the University of Iowa's National Clearinghouse for Home-Based Alternatives for Children to discuss legislative efforts towards developing a state policy toward the family and treatment of children in the context of the family. For the balance of the afternoon, I spoke at the State Convention of the Academy of Sciences on my proposal for the creation of a State Center for the Study of Public Policy. The invitation to speak had been extended in October of 1978. Had I been present, I would have voted “aye” on Senate Files 401, 376, 283, 422, 4, 464, 424, 293, 164, 29, 88, 294, 135, 203, 98, 447, 456 and amendment H—4022 to Senate File 464. I would have voted “nay” on Senate File 438 and Senate File 183.

CUSACK of Scott

I was necessarily absent from the chamber on April 24. Had I been present, I would have voted “aye” on amendment H—4049 to House File 738.

WELSH of Dubuque

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act to change the names of the Iowa training school for boys and the Iowa training school for girls.

Recommended Do Pass.

AMENDMENTS FILED

H-4082	H.F. 738	Lind of Black Hawk Horn of Linn
H-4083	H.F. 719	Perkins of Greene
H-4084	H.F. 421	Pope of Polk Bruner of Story Hibbs of Johnson
H-4085	H.F. 738	Wells of Linn
H-4086	H.F. 738	O'Kane of Woodbury
H-4087	H.F. 738	Welsh of Dubuque
H-4088	H.F. 738	Bennett of Ida
H-4089	H.F. 738	Jay of Appanoose Walter of Pottawattamie Patchett of Johnson Gettings of Wapello
H-4090	H.F. 742	Arnould of Scott
H-4091	H.F. 742	Jesse of Polk
H-4092	H.F. 742	Anderson of Jasper Krewson of Polk
H-4093	H.F. 742	Lageschulte of Bremer Dieleman of Marion Johnson of Howard Crabb of Crawford Hibbs of Johnson Welsh of Dubuque Mullins of Kossuth
		Perkins of Greene
		Spear of Lee
		Horn of Linn
		Groth of Buena Vista Welsh of Dubuque Wells of Linn Cusack of Scott Spear of Lee
		Cochran of Webster
H-4094	H.F. 738	
H-4095	H.F. 647	
H-4096	S.F. 485	
		Patchett of Johnson Jochum of Dubuque Pavich of Pottawattamie Chiodo of Polk Hall of Linn Rapp of Black Hawk Howell of Floyd
H-4097	S.F. 485	
H-4098	S.F. 485	
		Patchett of Johnson Anderson of Jasper Groth of Buena Vista Pavich of Pottawattamie Byerly of Polk

Jay of Appanoose
 Cusack of Scott
 Spear of Lee
 Cochran of Webster
 Anderson of Jasper

Chiodo of Polk
 Hall of Linn
 Rapp of Black Hawk
 Howell of Floyd

H-4100 S.F. 485

Horn of Linn
 Patchett of Johnson
 Connolly of Dubuque
 Wells of Linn

H-4101 S.F. 485

Jay of Appanoose
 Rapp of Black Hawk
 Anderson of Jasper

H-4102 S.F. 485

Patchett of Johnson
 Hall of Linn
 Lloyd-Jones of Johnson
 Horn of Linn

H-4103 S.F. 485

Patchett of Johnson
 Connolly of Dubuque
 Hall of Linn

H-4104 S.F. 485

Lloyd-Jones of Johnson
 Horn of Linn

Patchett of Johnson
 Connolly of Dubuque
 Hall of Linn

Lloyd-Jones of Johnson
 Horn of Linn
 Patchett of Johnson
 Pavich of Pottawattamie
 Byerly of Polk

H-4105 S.F. 485

Jay of Appanoose
 Hall of Linn
 Spear of Lee

Rapp of Black Hawk
 Horn of Linn
 Patchett of Johnson

Groth of Buena Vista
 Connolly of Dubuque
 Wells of Linn

Jay of Appanoose
 Hall of Linn
 Cochran of Webster

Lloyd-Jones of Johnson

H—4106

H.F. 742

Bruner of Story
Rapp of Black Hawk
Chiodo of Polk
Jochum of Dubuque
Brandt of Black Hawk
Bina of Scott

On motion by Halvorson of Clayton the House adjourned at 5:57 p.m. until 10:00 a.m., Wednesday, April 25, 1979.

JOURNAL OF THE HOUSE

One Hundred Eighth Calendar Day—Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 25, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Elder Gerald Leaders, pastor of the Church of the Reorganized Latter Day Saints, Dunlap, Iowa.

A special musical presentation of "How Great Thou Art" was presented by Senator Jack Hester of Pottawattamie County, accompanied by his wife, Joan.

The Journal of Tuesday, April 24, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. B. H. Osten, Northwood, Iowa.

INTRODUCTION OF BILL

House File 744, by committee on appropriations, a bill for an act to change the names of the Iowa training school for boys and the Iowa training school for girls.

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 on April 23, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 131, a bill for an act to increase the maximum interest rate applicable to certain tax anticipatory warrants to six percent.

Also: That the Senate has on April 23, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 730, a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment.

Also: That the Senate has on April 23, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 81, a bill for an act to permit the use of temporary signs to notify the public of community events.

Also: That the Senate has on April 23, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 252, a bill for an act relating to municipal improvement districts.

Also: That the Senate has on April 23, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 282, a bill for an act to amend city finance laws relating to the establishment of trust and agency funds.

Also: That the Senate has on April 23, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 489, a bill for an act relating to the administration and benefits of certain public retirement systems.

Also: That the Senate has on April 23, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 490, a bill for an act providing for maximum accrual of vacation for state employees.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 730

H-4107

- 1 Amend House File 730 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 1, lines 5 and 6, by striking the words
- 4 "self-insurance or".
- 5 2. Page 1, by striking line 8 and inserting
- 6 in lieu thereof the words "insurance company
- 7 employing the inspector or upon any group organized for
- 8 self-insurance purposes which employs an inspector and
- 9 is regulated by the insurance department;".

BUSINESS PENDING

The House resumed consideration of **House File 738**, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense, and amendment H—3891 (to page 10) found on pages 1774 and 1775 of the House Journal.

Byerly of Polk asked for unanimous consent to suspend the rules for the consideration of amendment H—4108, to amendment H—3891.

Objection was raised.

Byerly of Polk moved that the previous question rules be suspended for the consideration of amendment H—4108, to amendment H—3891, filed by Byerly of Polk from the floor as follows:

H—4108

1 Amend House Amendment 3891 to House File 738 as
2 follows:
3 1. Page 1, line 5, by striking the words
4 "project for state employees.....\$75,000"
5 and inserting in lieu thereof "and car pool and van
6 pool project for state employees...\$150,000"
7 2. Page 1, line 14, by inserting after the word
8 "site." the following: "Similarly the project shall
9 award a \$5 per month subsidy to a person who registers
10 with the department as the coordinator of a car pool
11 or van pool. To qualify for the subsidy each car or
12 van pool must have at least three participants whose
13 names and personal vehicle license numbers shall be
14 listed along with the coordinator's with the depart-
15 ment. Also the participants in the project must
16 agree that only one of their motor vehicles shall
17 be parked on state property at their job site at any
18 given time."

A non-record roll call was requested.

The ayes were 38, nays 50.

The motion lost.

Hoffmann of Muscatine moved the adoption of amendment H—3891.

Roll call was requested by Cochran of Webster and Bina of Scott.

On the question "Shall amendment H—3891 be adopted?"

The ayes were, 60:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Crabb	Crawford	Cusack
Danker	Davitt	Dieleman	Doyle
Egenes	Gettings	Hall	Halvorson, R.A.
Halvorson, R.N.	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, W.
Kirkenlager	Krewson	Lageschulte	Larsen
Lloyd-Jones	McKean	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Peiton	Poffenberger	Pope	Rapp
Ritsema	Sherzan	Shimanek	Shull
Spear	Thompson	Walter	Wells

The nays were, 33:

Anderson, J.	Bennett	Branstad	Conlon
Corey	De Groot	Diemer	Evans
Groth	Hansen, I.	Hanson, D.	Harbor
Hibbs	Holt	Johnson, J.	Johnson, R.
Lind	Lorenzo	Lura	Maulsby
Menke	Pellett	Perkins	Schneklath
Schroeder	Smalley	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	Welden
Mr. Speaker			

Absent or not voting, 7:

Chiodo	Daggett	Lonergan	Patchett
Welsh	West	Woods	

Amendment H—3891 was adopted.

Jochum of Dubuque offered the following amendment H—3911 filed by him:

H—3911

- 1 Amend House File 738 as follows:
- 2 1. Page 10, by inserting after line 12 the
- 3 following:

4 "a. It is the intent of the General Assembly
5 that when possible the costs of serving freeway
6 lighting for each utility providing the service
7 shall be determined by the Iowa commerce commission,
8 and rates for such service shall be no higher than
9 necessary to recover these costs and a reasonable
10 return on the utility's investment. In determin-
11 ing such costs the Iowa commerce commission shall
12 give full recognition to freeway lighting usage,
13 or lack thereof, during the time of peak demand
14 on each such utility."

Hoffmann of Muscatine rose on a point of order that amendment H—3911 was not germane.

The Speaker ruled the point well taken and amendment H—3911 not germane.

Jochum of Dubuque moved that the rules be suspended to consider and adopt amendment H—3911.

Roll call was requested by Jochum of Dubuque and Bina of Scott.

On the question "Shall the rules be suspended to consider and adopt amendment H—3911?"

The ayes were, 88:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Miller
O'Kane	Oxley	Pavich	Rapp
Sherzan	Spear	Stromer	Walter
Wells	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson

Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 8:

Chiodo	Davitt	Loneragan	Norland
Patchett	Pelton	Perkins	Welsh

The motion lost.

Howell of Floyd offered the following amendment H—3913 filed by Howell, et al., and moved its adoption:

H—3913

- 1 Amend House File 738 as follows:
- 2 1. Page 10, by striking line 15, and inserting
- 3 in lieu thereof the words and figures
- 4 "state assistance plan.....\$3,000,000 \$3,000,000"

Roll call was requested by Lloyd-Jones of Johnson and Walter of Pottawattamie.

On the question "Shall amendment H—3913 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	Norland	O'Kane	Oxley
Pavich	Rapp	Sherzan	Walter
Wells	Woods		

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.

Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Lageschulte	Larsen	Lind	Lura
Maulsby	McKean	Menke	Pellett
Poffenberger	Pope	Ritsema	Schneklath
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 14:

Chiodo	Corey	Crabb	Kirkenlager
Krewson	Lonergan	Lorenzen	Mullins
Patchett	Pelton	Perkins	Schroeder
Welsh	West		

.Amendment H—3913 lost.

Jesse of Polk offered amendment H—3914 filed by Jesse, et al., and requested division as follows:

H—3914

1 Amend House File 738 as follows:

H—3914A

2 1. Page 10, by striking line 15 and inserting
3 in lieu thereof the following:
4 "state assistance plan.....\$2,200,000 \$2,200,000".

H—3914B

5 2. Page 11, line 12, by striking the figure
6 "1,500,000" and inserting in lieu thereof the figure
7 "1,800,000".

H—3914C

8 3. Page 11, lines 22, 23 and 24, by striking
9 the words "of an additional turbo prop airplane and
10 the purchase".
11 4. Page 11, line 25, by striking the figure
12 "670,000" and inserting in lieu thereof the figure
13 "120,000".

Jesse of Polk moved the adoption of amendment H—3914A.

Roll call was requested by Jesse of Polk and Bina of Scott.

On the question "Shall amendment H—3914A be adopted?"

The ayes were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Cochran	Connolly
Connors	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Swearingen,	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 8:

Arnould	Brandt	Chiodo	Crawford
Stromer	Thompson	Welsh	West

Amendment H—3914A lost.

Jesse of Polk moved the adoption of amendment H—3914B.

Roll call was requested by Jesse of Polk and Walter of Pottawat-tamie.

Rule 80 was invoked.

On the question "Shall amendment H—3914B be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
De Groot	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Maulsby	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Ritsema
Sherzan	Spear	Walter	Wells
Woods			

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Shull	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Avenson	Chiodo	Smalley	Stromer
Welsh			

Amendment H—3914B lost.

(House File 738 and amendment H—3914C pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:03 p.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk, for a portion of the afternoon, and Cusack of Scott, for the remainder of the day, on request of Bina of Scott.

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 on April 23, 1979, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 269, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county.

Also: That the Senate has on April 25, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 454, a bill for an act relating to the allocation of certain petroleum products used for agricultural production in Iowa.

FRANK J. STORK, Secretary

HOUSE RESOLUTION 35

By Hanson of Delaware and Shimanek

- 1 *Whereas*, The Greeley Rope Pull Team will be
- 2 representing Iowa and the United States by
- 3 competing in the amateur tournament being held
- 4 in Sweden; and
- 5 *Whereas*, The Greeley Rope Pull Team has
- 6 displayed the utmost in spirit, dedication, and
- 7 sportsmanship, *Now Therefore*,
- 8 *Be It Resolved By The House Of Representatives*,
- 9 That the members of the Sixty-eighth General
- 10 Assembly of the state of Iowa extend their heartiest
- 11 congratulations to the Greeley Rope Pull Team of
- 12 Greeley, Iowa, and their head coach, Dick Stock, for
- 13 their dedication, sportsmanship, and excellence, and
- 14 to the families and all loyal fans who have encouraged
- 15 them; and
- 16 *Be It Further Resolved*, That copies of this
- 17 resolution be sent to head coach Dick Stock, team
- 18 captain James Schmitz, and members of the Greeley
- 19 Rope Pull Team.

Laid over under Rule 30.

QUORUM CALL

Roll call was requested by De Groot of Lyon and Hibbs of Johnson to determine that a quorum was present.

Present, 82:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Schneklath	Shimanek	Shull	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	West
Woods	Mr. Speaker		

Absent, 18:

Arnould	Binneboese	Chiodo	Cusack
Hansen, I.	Jesse	Jochum	Lind
Miller	Patchett	Rapp	Ritsema
Schroeder	Sherzan	Smalley	Stromer
Welden	Welsh		

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

BUSINESS PENDING

The House resumed consideration of **House File 738**, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense, and amendment H-3914C by Jesse, et al.

Jesse of Polk asked for unanimous consent to take up for consideration amendment H—4109, to amendment H—3914C, filed by him from the floor as follows:

H—4109

- 1 Amend amendment H—3914, to page 10 of House File
- 2 738, as follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "4. Page 11, line 24, by striking the word "one"
- 6 and inserting in lieu thereof the word "three".
- 7 2. Page 1, line 13, by striking the figures
- 8 "120,000" and inserting in lieu thereof the figures
- 9 "360,000"."

Objection was raised.

Jesse of Polk moved the adoption of amendment H—3914C.

Roll call was requested by Bina of Scott and Jesse of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—3914C be adopted?"

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Conlon	Connolly	Connors
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Lloyd-Jones	Loneragan
Lura	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Ritsema	Sherzan	Smalley
Spear	Tyrrell	Walter	Wells
Welsh	Woods		

The nays were, 47:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.

Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Schnekloth
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Chiodo	Cusack	Lind
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Amendment H—3914C was adopted placing out of order amendment H—4089 (to page 11) filed by Jay, et al., on April 24, 1979.

Howell of Floyd offered the following amendment H—3912 filed by Howell, et al., and moved its adoption:

H—3912

- 1 Amend House File 738 as follows:
- 2 1. Page 11, by inserting after line 8 the
- 3 following:
- 4 " . For assistance
- 5 to public transit systems
- 6 in purchasing new buses.....\$ 1,000,000 \$ "

Roll call was requested by Howell of Floyd and O'Kane of Woodbury.

On the question "Shall amendment H—3912 be adopted?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell
Jay	Jesse	Jochum	Krewson
Lloyd-Jones	Loneragan	Miller	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb

Crawford	Danker	De Groot	Diemer
Egenes	Evans	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	McKean	Menke	Pellett
Pelton	Perkins	Poffenberger	Pope
Schnekloth	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 9:

Chiodo	Cusack	Daggett	Hullinger
Lind	Mullins	Norland	Ritsema
Schroeder			

Amendment H—3912 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Ritsema of Sioux, on request of Shimanek of Jones; Daggett of Taylor on request of Harbor of Mills, both for the remainder of the day.

Pavich of Pottawattamie asked and received unanimous consent to withdraw amendment H—3901 (to page 11) filed by him on April 12, 1979.

Danker of Pottawattamie asked and received unanimous consent to withdraw amendment H—3887 (to page 11) filed by Danker, et al., on April 12, 1979, placing the following amendments, to amendment H—3887, out of order:

Amendment H—4053 filed by Poffenberger of Dallas on April 23, 1979.

Amendment H—4068 filed by Kirkenslager of Des Moines on April 23, 1979.

Wells of Linn offered the following amendment H—4085 filed by him and moved its adoption:

H-4085

- 1 Amend House File 738 as follows:
- 2 1. Page 11, by inserting after line 25 the
- 3 following new subsection:
- 4 " . For the construction
- 5 of a pedestrian walkway at First
- 6 Avenue and Twenty-seventh Street
- 7 Northeast within the corporate
- 8 city limits of Cedar Rapids \$250,000 \$ "

A non-record roll call was requested.

The ayes were 38, nays 47.

Amendment H-4085 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Linn, for the remainder of the day, on request of Maulsby of Calhoun.

Welsh of Dubuque offered the following amendment H-4087 filed by him and moved its adoption:

H-4087

- 1 Amend House File 738 as follows:
- 2 1. Page 11, by inserting after line 25 the
- 3 following:
- 4 "5. a. For
- 5 support of an
- 6 automobile ferry
- 7 on the Mississippi
- 8 River between
- 9 Guttenberg, Iowa
- 10 and Cassville,
- 11 Wisconsin \$80,000 \$80,000
- 12 b. The funds appropriated by this subsection shall
- 13 be used to underwrite the operation of an automobile
- 14 ferry across the Mississippi River between Guttenberg,
- 15 Iowa and Cassville, Wisconsin with the state of
- 16 Wisconsin. The funds appropriated by this subsection
- 17 shall not be expended unless the state of Wisconsin
- 18 agrees to participate in this project, private parties
- 19 agree to make all arrangements for the operation of
- 20 the ferry, and the operators of the ferry agree to

21 repay the state of Iowa the amounts expended commencing
 22 four years after the expenditure. The state department
 23 of transportation shall prepare a report to the next
 24 regular session of the general assembly on the ferry
 25 project stating any expenditures made and recommending
 26 whether participation in this project should be
 27 continued."

Roll call was requested by Welsh of Dubuque and Connolly of Dubuque.

On the question "Shall amendment H—4087 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Gettings	Hall	Halvorson, R.N.
Hanson, D.	Horn	Howell	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Wells
Welsh	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Doyle	Egenes	Evans	Groth
Halvorson, R.A.	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Pellett
Pelton	Poffenberger	Pope	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 10:

Chiodo	Cusack	Daggett	Hinkhouse
Hullinger	Johnson, R.	Mullins	Ritsema
Stromer	Walter		

Amendment H—4087 lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the following amendments filed by Schroeder, et al.:

Amendment H—3915 (to page 12) filed on April 12, 1979.

Amendment H—3936 (to amendment H—3915) filed on April 17, 1979.

O'Kane of Woodbury offered the following amendment H—4086 filed by him and moved its adoption:

H—4086

- 1 Amend House File 738 as follows:
- 2 1. Page 13, line 29, by inserting after the
- 3 figure "1980." the following: "The report shall
- 4 include the number of vehicles purchased by the
- 5 state department of transportation equipped with
- 6 eight-cylinder engines and the reasons why the
- 7 task for such vehicles requires a larger engine."

Amendment H—4086 was adopted.

Schroeder of Pottawattamie offered the following amendment H—3905 filed by him:

H—3905

- 1 Amend House File 738 as follows:
- 2 1. Page 14, by inserting after line 9 the following
- 3 new section:
- 4 "Sec. . . The state department of transportation
- 5 shall not impose provisions in agreements with
- 6 political subdivisions of this state for special
- 7 improvement projects which contain parking or other
- 8 use restrictions upon property which is not within
- 9 the specific area to be improved by actual construction
- 10 or reconstruction of the special improvement project.
- 11 The provisions of this section shall apply to special
- 12 improvement projects currently in progress on the
- 13 effective date of this Act and special improvement
- 14 projects initiated after the effective date of this
- 15 Act."
- 16 2. Renumber sections and correct internal
- 17 references as are necessary in accordance with this
- 18 amendment.

Perkins of Greene rose on a point of order that amendment H-3905 was not germane.

The Speaker ruled the point well taken and amendment H-3905 not germane.

Schroeder of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H-3905.

Objection was raised.

Schroeder of Pottawattamie moved to suspend the rules for the consideration of amendment H-3905.

Roll call was requested by Perkins of Greene and Smalley of Polk.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-3905?"

The ayes were, 34:

Arnould	Avenson	Binneboese	Brandt
Bruner	Byerly	Connolly	Connors
Crabb	Danker	Davitt	Doyle
Groth	Horn	Hullinger	Jay
Jesse	Jochum	Krewson	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Pavich	Rapp	Schroeder
Shimanek	Spear	Walter	Wells
Welsh	Woods		

The nays were, 60:

Anderson, J.	Anderson, R.	Bennett	Bina
Branstad	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Corey	Crawford	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Howell	Hummel
Husak	Johnson, J.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Patchett	Pellet	Pelton

Perkins	Poffenberger	Pope	Schnekloth
Sherzan	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 6:

Chiodo	Cusack	Daggett	Hinkhouse
Johnson, R.	Ritsema		

The motion lost.

Pavich of Pottawattamie asked and received unanimous consent to withdraw amendment H—3923 (to page 14) filed by him on April 12, 1979.

Bennett of Ida offered the following amendment H—3904 filed by him:

H—3904

- 1 Amend House File 738 as follows:
- 2 1. Page 15, by inserting after line 5 the following
- 3 new section:
- 4 "Sec. . It is the intent of the general assembly
- 5 that the state department of transportation shall
- 6 conduct a study of the real property acquired by the
- 7 department through the exercise of the power of eminent
- 8 domain or where the power of eminent domain could
- 9 have been exercised. The department shall identify
- 10 the amount of real property not currently used by
- 11 the department for the public purpose, improvement,
- 12 or project for which it was acquired, and the current
- 13 use of real property held by the department for a
- 14 public purpose, improvement, or project including
- 15 an estimate as to when the real property will be used
- 16 for the public purpose for which it was acquired.
- 17 The department shall prepare a report of its findings
- 18 and submit the report to the general assembly not
- 19 later than February 1, 1980."
- 20 2. Renumber sections and correct internal
- 21 references as may be necessary in accordance with
- 22 this amendment.

Perkins of Greene rose on a point of order that amendment H—3904 was not germane.

The Speaker ruled the point well taken and amendment H—3904 not germane.

Lind of Black Hawk offered the following amendment H—4069 filed by him and Horn of Linn:

H—4069 .

1 Amend House File 738 as follows:

2 1. Page 15, by inserting after line 5 the
3 following:

4 "Sec. Section three hundred twenty-one point
5 two hundred seven (321.207), Code 1979, is amended
6 to read as follows:

7 321.207 RECORD FORWARDED. Every court having
8 jurisdiction over offenses committed under this
9 chapter, or any other law of this state or any city
10 traffic ordinances, other than parking regulations,
11 regulating the operation of motor vehicles on highways,
12 shall forward to the department a record of the
13 conviction of any person in said court for a violation
14 of any said laws except violations of the legal speed
15 limit by less than ten miles per hour, and may
16 recommend the suspension of the operator's or
17 chauffeur's license of the person so convicted, and
18 the department shall thereupon consider and act upon
19 such recommendation in such manner as may seem to
20 it best.

21 Sec. Section three hundred twenty-one point
22 two hundred ten (321.210), Code 1979, is amended by
23 adding the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. In determining the
25 suspension or the length of suspension of an operator's
26 or chauffeur's license, the department shall not
27 assess points for nor take into consideration a
28 speeding violation of less than ten miles per hour
29 over the legal speed limit."

30 2. By renumbering sections and correcting internal
31 references as necessary.

Hoffmann of Muscatine rose on a point of order that amendment H—4069 was not germane.

The Speaker ruled the point well taken and amendment H—4069 not germane.

Anderson of Audubon offered the following amendment H—4066 filed by Anderson, et al.:

H—4066

1 Amend House File 738 as follows:

2 1. Page 15, by inserting before line 6 the
 3 following:
 4 "Sec. . Section three hundred six point seven
 5 (306.7), Code 1979, is amended by adding the following
 6 new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. However, a primary road
 8 may not be reclassified as part of the farm-to-market
 9 road system or the local secondary road system by
 10 the functional classification board or the department
 11 without prior approval of the county board of
 12 supervisors of each affected county."
 13 2. By renumbering sections to conform with this
 14 amendment.

Perkins of Greene rose on a point of order that amendment H—4066 was not germane.

The Speaker ruled the point well taken and amendment H—4066 not germane, placing out of order amendment H—4094 (to amendment H—4066) filed by Perkins of Greene on April 24, 1979.

O’Kane of Woodbury asked and received unanimous consent to withdraw amendment H—4013 (to page 15) filed by him on April 19, 1979.

Horn of Linn offered the following amendment H—4074 filed by him:

H—4074

1 Amend House File 738 as follows:
 2 1. Page 15, by inserting after line 10 the
 3 following new section:
 4 "Sec. . Chapter eighty (80), Code 1979, is
 5 amended by adding the following new section:
 6 NEW SECTION. The department of public safety shall
 7 provide uniformed highway safety patrol peace officers
 8 to escort candidates for governor between the date
 9 the candidate is certified by the state commissioner
 10 of elections for placement on the general election
 11 ballot and the date of the general election. This
 12 section shall apply only to the candidates of a
 13 political party as defined in section forty-three
 14 point two (43.2) of the Code."
 15 2. Renumber sections and correct internal
 16 references as may be necessary in accordance with
 17 this amendment.

Hoffmann of Muscatine rose on a point of order that amendment H-4074 was not germane.

The Speaker ruled the point well taken and amendment H-4074 not germane.

Lind of Black Hawk offered the following amendment H-4082 filed by him:

H-4082

- 1 Amend House File 738 as follows:
- 2 1. Page 15, by inserting after line 10 the
- 3 following new section:
- 4 "Sec. . Section eight hundred five point six
- 5 (805.6), Code 1979, is amended by adding the following
- 6 new subsection:
- 7 NEW SUBSECTION. The uniform citation and complaint
- 8 shall contain a place on its face where the officer,
- 9 issuing the complaint for a speeding violation in
- 10 which a radar unit was used in apprehending a person
- 11 for speeding, shall certify that the officer has been
- 12 certified to operate a radar unit and the date on
- 13 which the radar unit was last tested as to its
- 14 accuracy. The provisions of this subsection shall
- 15 be subject to subsection six (6) of this section."
- 16 2. Renumber sections and correct internal
- 17 references as may be necessary in accordance with
- 18 this amendment.

Perkins of Greene rose on a point of order that amendment H-4082 was not germane.

The Speaker ruled the point well taken and amendment H-4082 not germane.

Bennett of Ida asked and received unanimous consent to withdraw amendment H-4088 (to page 15) filed by him on April 24, 1979.

Jesse of Polk asked for unanimous consent to suspend the previous question rule for the consideration of amendment H-4112 filed by Schroeder of Pottawattamie and him from the floor as follows:

H—4112

- 1 Amend House File 738 as follows:
- 2 1. Page 11, by inserting after line 25 the
- 3 following:
- 4 "5. For the purchase
- 5 of two additional airplanes
- 6 for the aviation pool.....\$ 300,000".

Objection was raised.

Hoffmann 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. 738)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Avenson

Absent or not voting, 8:

Chiodo	Cusack	Daggett	Hinkhouse
Johnson, R.	Patchett	Poffenberger	Ritsema

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 738)

Welden of Hardin asked and received unanimous consent to immediately message House File 738 to the Senate.

SENATE AMENDMENTS CONSIDERED

Maulsby of Calhoun called up for consideration **House File 61**, a bill for an act providing that a defendant awaiting a judgment of conviction and sentencing or appealing a conviction for a class A felony shall not be admitted to bail, amended by the Senate amendment H-3829 received from the Senate on April 10 and found on page 1478 of the House Journal, and moved that the House concur in the Senate amendment H-3829.

The motion prevailed and the House concurred in the Senate amendment H-3829.

Maulsby of Calhoun 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. 61)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Byerly	Clark, B.J.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann

Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorezen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Brandt	Chiodo	Clark, J.H.	Cusack
Daggett	Hinkhouse	Johnson, R.	Poffenberger
Ritsema			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Thompson of Polk called up for consideration **House File 468**, a bill for an act to provide a procedure for leasing a portion of a school building, amended by the Senate amendment H—3827 received from the Senate on April 10 and found on page 1479 of the House Journal, and moved that the House concur in the Senate amendment H—3827.

The motion prevailed and the House concurred in the Senate amendment H—3827.

Thompson 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 468)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt

Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Chiodo	Cusack	Daggett	Hinkhouse
Hoffmann	Jesse	Johnson, R.	Ritsema
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Shimanek of Jones called up for consideration **House File 470**, a bill for an act to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes, amended by the Senate amendment H—3826 received from the Senate on April 10 and found on page 1479 of the House Journal, and moved that the House concur in the Senate amendment H—3826.

The motion prevailed and the House concurred in the Senate amendment H—3826.

Shimanek of Jones 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. 470)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Chiodo	Cusack	Daggett	Groth
Hinkhouse	Johnson, R.	Ritsema	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Tyrrell of Iowa called up for consideration **House File 148**, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, amended by the Senate amendment H-3990, received from the Senate on April 19, 1979 and found on page 1621 of the House Journal.

Perkins of Greene offered the following amendment H-4119, to the Senate amendment H-3990, filed by him from the floor:

H-4119

- 1 Amend the Senate amendment H-3990 to House File
- 2 148 as follows:
- 3 1. Page 1, by striking lines 3 through 9.
- 4 2. By renumbering as necessary.

Husak of Tama asked and received unanimous consent to defer action on House File 148 and that the bill retain its place on the calendar.

(Amendment H-4119 to the Senate amendment H-3990 pending.)

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five college students from Iowa Central Community College, Fort Dodge, Iowa, accompanied by Dick Inman. By Halvorson of Webster and Cochran of Webster.

Thirteen students from Tripoli Junior-Senior High School, Tripoli, Iowa, accompanied by Ronald Orf. By Avenson of Fayette.

Fifty-five fifth and sixth grade students from St. Pius X School, Des Moines, Iowa, accompanied by Miss Chiodo. By Chiodo of Polk.

Twenty-five students from Central Webster School, Burnside, Iowa, accompanied by Jim Ainslet. By Halvorson of Webster.

Thirty-five senior students from Orient-Macksburg Junior-Senior High School, Orient, Iowa. By Davitt of Warren.

Thirty-nine business law students from Marshalltown High School, Marshalltown, Iowa, accompanied by Francis Burnham. By Lura of Marshall.

Forty-five fifth grade students from Franklin Elementary School, Muscatine, Iowa, accompanied by Mrs. Guck, Mrs. Danz and Mr. Andresen. By Hoffmann of Muscatine.

Twenty-seven Camp Fire Girls from Cedar Rapids, Iowa, accompanied by Jean Smith, Jan Neagle, Suzanne Hemesath, Marilyn Paulson and Edith Wheeler. By Johnson of Linn and Patchett of Johnson.

Forty-five sixth grade students from Dexfield Elementary School, Dexter, Iowa, accompanied by Mrs. Dorothy Sanborn. By Davitt of Warren and Poffenberger of Dallas.

Thirty-seven sixth grade students from Shellsburg Elementary School, Shellsburg, Iowa, accompanied by Mrs. Sue Edwards and Ken Beaner. By Hummel of Benton.

Eight students from Plymouth County High School, Le Mars, Iowa, accompanied by Mr. and Mrs. Weston Karr. By Binneboese of Plymouth and Ritsema of Sioux.

Twenty-five fifth grade students from Centerville, Iowa, accompanied by Mrs. Ogelsby. By Jay of Appanoose.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday, April 24. Had I been present, I would have voted "aye" on House File 734 and amendment H-3873 to House File 734.

PELTON of Clinton

I was necessarily absent from the House chamber on April 23. Had I been present, I would have voted "aye" on House File 734.

POPE of Polk

I was necessarily absent from the House chamber on April 24. Had I been present, I would have voted "nay" on amendment H-3891 and "aye" on the motion to suspend the rules on amendments H-3911, H-3913, H-3914A and H-3914B.

WELSH of Dubuque

I was necessarily absent from the House chamber on April 25, 1979. Had I been present, I would have voted "aye" on House Files 738 and 61.

POFFENBERGER of Dallas

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Study Bill 34, to provide a penalty for failure to file the final inheritance tax return or for failure to timely pay the tax due and to increase the interest rate for late payment of the tax due.

Recommended Amend and Do Pass.

Study Bill 199, relating to the administration of the motor fuel and special fuel laws.

Recommended Do Pass.

AMENDMENTS FILED

H-4110	H.F. 742	Miller of Buchanan
H-4111	H.F. 742	Johnson of Linn
		Schroeder of Pottawattamie
H-4113	H.F. 742	Howell of Floyd
		Lloyd-Jones of Johnson
H-4114	H.F. 742	Avenson of Fayette
H-4115	H.F. 742	Lonergan of Boone
H-4116	H.F. 742	Lageschulte of Bremer
		West of Marshall
H-4117	H.F. 742	Bruner of Story
		Rapp of Black Hawk
H-4118	H.F. 742	Anderson of Jasper
H-4120	S.F. 471	Jochum of Dubuque
H-4121	H.F. 742	Groth of Buena Vista

H—4122

H.F. 742

Anderson of Jasper
Cusack of Scott
Jesse of Polk
Davitt of Warren
Avenson of Fayette

On motion by Halvorson of Clayton the House adjourned at 5:52 p.m. until 10:00 a.m., Thursday, April 26, 1979.

JOURNAL OF THE HOUSE

One Hundred Ninth Calendar Day—Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 26, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Nancy L. Allen, pastor of the Ventura United Methodist Church, Ventura, Iowa.

The Journal of Wednesday, April 25, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. M. U. Broers, Schleswig, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Linn, for the morning session, on request of Maulsby of Calhoun; Shimanek of Jones, for a portion of the day, on request of Pelton of Clinton.

INTRODUCTION OF BILL

House File 745, by committee on ways and means, a bill for an act relating to the administration of the motor fuel and special fuel laws.

Read first time and placed on the **ways and means 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 on April 24, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 51, a bill for an act to repeal the chain store tax.

Also: That the Senate has on April 24, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 450, a bill for an act establishing licensing for mobile home dealers and travel trailer dealers.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 51, a bill for an act to repeal the chain store tax.

Read first time and referred to committee on **ways and means**.

Senate File 454, a bill for an act relating to the allocation of certain petroleum products used for agricultural production in Iowa.

Read first time and referred to committee on **energy**.

Senate File 489, a bill for an act relating to administration and benefits of certain public retirement systems.

Read first time and referred to committee on **appropriations**.

Senate File 490, a bill for an act relating to the maximum accrual of vacation for state employees.

Read first time and referred to committee on **appropriations**.

Speaker pro tempore Harbor of Mills in the chair at 10:17 a.m.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 737, a bill for an act relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land, by including transmission towers and antennae not a part of a household, and by providing that certain property is not attached when it ordinarily is removed when the property owner moves to another location and making the Act retroactive, was taken up for consideration.

Lura of Marshall 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. 737)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Millen	Miller
Mullins	Norland	O'Kane	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker (Harbor)	

The nays were, none.

Absent or not voting, 5:

Dieleman	Evans	Johnson, R.	Oxley
Shimaneck			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 737)

Lura of Marshall asked and received unanimous consent to immediately message House File 737 to the Senate.

CONSIDERATION OF BILLS

House File 733, a bill for an act relating to the recapture of taxes on certain classes of property when a change in use of the property occurs and making the Act retroactive, was taken up for consideration.

Schnekloth of Scott offered the following amendment H—3732 filed by Schnekloth, et al., and moved its adoption:

H—3732

- 1 Amend House File 733 as follows:
- 2 1. Page 1, by striking line 1 through page 4
- 3 line 21.
- 4 2. Renumber sections to conform to this
- 5 amendment.

A non-record roll call was requested.

The ayes were 32, nays 54.

Amendment H—3732 lost.

Hanson of Delaware 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. 733)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonerган	Lorenzen	Lura

McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schroeder	Sherzan	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker (Harbor)

The nays were, 5:

Hibbs	Maulsby	Schnekloth	Tofte
Tyrrell			

Absent or not voting, 3:

Johnson, R.	Millen	Shimanek
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 733)

Hanson of Delaware asked and received unanimous consent to immediately message House File 733 to the Senate.

APPROPRIATIONS CALENDAR

House File 742, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies, was taken up for consideration.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions filed thereto on House File 742.

Speaker Millen in the chair at 11:27 a.m.

A non-record roll call was requested.

The ayes were 51, nays 37.

The motion prevailed.

Jesse of Polk offered the following amendment H—4091 filed by him and moved its adoption:

H—4091

- 1 Amend House File 742 as follows:
- 2 1. Page 1, by striking line 20 and inserting
- 3 in lieu thereof the following:
- 4 "office conditional upon
- 5 maintaining a report of
- 6 expenditures in the office
- 7 of the governor and a copy
- 8 to be provided to the
- 9 chairpersons of the state
- 10 government appropriations
- 11 subcommittee \$6,000 \$6,000".

A non-record roll call was requested.

The ayes were 37, nays 49.

Amendment H—4091 lost.

Arnould of Scott asked and received unanimous consent to withdraw amendment H—4090 (to pages 2 and 3) filed by him on April 24, 1979.

Loneragan of Boone offered the following amendment H—4115 filed by her and moved its adoption:

H—4115

- 1 Amend House File 742 as follows:
- 2 1. Page 3, by striking line 8 and inserting
- 3 in lieu thereof the following:
- 4 "force's final report \$5,000 \$5,000".

A non-record roll call was requested.

The ayes were 34, nays 45.

Amendment H—4115 lost.

Lageschulte of Bremer offered the following amendment H—4116 filed by him and West of Marshall and moved its adoption:

H-4116

- 1 Amend House File 742 as follows:
- 2 1. Page 4, line 13, by inserting after the word
- 3 "development" the words ", including not more than
- 4 ten thousand (10,000) dollars to be expended for
- 5 administration expenses,".

Amendment H-4116 was adopted.

Anderson of Jasper offered the following amendment H-4092 filed by him and Krewson of Polk:

H-4092

- 1 Amend House File 742 as follows:
- 2 1. Page 4, by striking lines 17 through 20 and
- 3 inserting in lieu thereof the following:
- 4 "Code \$250,000 \$250,000
- 5 The funds appropriated in this subsection shall
- 6 not be spent on supplies, expenses or the salary of
- 7 the director."
- 8 2. Page 22, by striking lines 9 through 17.

The following amendment H-4129, to amendment H-4092, filed by Anderson of Jasper from the floor was adopted by unanimous consent:

H-4129

- 1 Amend amendment H-4092, to page 4 of House File
- 2 742, as follows:
- 3 1. Page 1, by striking lines 5 through 7.

(House File 742 and amendment H-4092, as amended, pending at recess.)

PRESENTATION OF PELLA TULIP QUEEN AND HER ATTENDANTS

Dieleman of Marion presented to the House, Marla Nieuwsma from Pella, Iowa, Queen of the 1979 Pella Tulip Festival to be held in Pella May 10, 11 and 12. The Queen introduced her attendants: Becky Rietveld, Pam Ruiters, Lois Ryken and Julie VanGorp.

The girls, all dressed in native Dutch costume distributed the famous Pella Dutch cookies.

On motion by Halvorson of Clayton the House was recessed at 11:59 a.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk on request of Johnson of Howard; Perkins of Greene on request of Anderson of Jasper; Patchett of Johnson on request of Bina of Scott, all for the remainder of the day.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty members present, twenty absent.

BUSINESS PENDING

The House resumed consideration of **House File 742**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies, and amendment H—4092, as amended.

Division of amendment H—4092 was requested, lines 2 through 7 to be amendment H—4092A and line 8 to be amendment H—4092B.

Anderson of Jasper moved the adoption of amendment H—4092A, as amended.

Roll call was requested by Anderson of Jasper and Cusack of Scott.

On the question "Shall amendment H—4092A be adopted?"

The ayes were, 42:

Anderson, R.	Avenson	Bina	Binneboese
Bruner	Byerly	Chiodo	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Gettings	Groth	Hall

Halvorson, R.N.	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Krewson	Larsen	Lloyd-Jones
Lonergan	McKean	Miller	Norland
O'Kane	Oxley	Pavich	Rapp
Sherzan	Spear	Van Maanen	Walter
Wells	Welsh		

The nays were, 48:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Kirkenslager	Lageschulte
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Welden	West	Mr. Speaker

Absent or not voting, 10:

Arnould	Doyle	Johnson, R.	Lind
Patchett	Pelton	Perkins	Shimanek
Stromer	Woods		

Amendment H—4092A, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury for the remainder of the day and April 27 on request of Hullinger of Decatur.

Anderson of Jasper moved the adoption of amendment H—4092B.

Roll call was requested by Anderson of Jasper and Bina of Scott.

On the question "Shall amendment H—4092B be adopted?"

The ayes were, 53:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt

Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Connolly	Connors
Cusack	Davitt	De Groot	Dieleman
Gettings	Groth	Hall	Halvorson, R.N.
Hansen, I.	Hibbs	Hinkhouse	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Kirkenslager	Krewson
Larsen	Lloyd-Jones	Lonerger	Miller
Norland	O'Kane	Oxley	Pavich
Poffenberger	Rapp	Ritsema	Sherzan
Tyrrell	Van Maanen	Walter	Wells
Welsh			

The nays were, 39:

Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Diemer
Evans	Halvorson, R.A.	Hanson, D.	Harbor
Hoffmann	Holt	Horn	Johnson, J.
Johnson, W.	Lageschulte	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Pope	Schnekloth
Schroeder	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Welden	West	Mr. Speaker	

Absent or not voting, 8:

Doyle	Egenes	Johnson, R.	Lind
Patchett	Perkins	Shimanek	Woods

Amendment H—4092B was adopted.

Welden of Hardin offered the following amendment H—4045 filed by Welden, et al., and moved its adoption:

H—4045

- 1 Amend House File 742 as follows:
- 2 1. Page 4, by inserting after line 20 the follow-
- 3 ing:
- 4 "d. For funds for
- 5 salaries, support,
- 6 maintenance, and mis-
- 7 cellaneous purposes
- 8 required to match
- 9 federal funds for
- 10 planning and admin-
- 11 istration of the
- 12 federal Highway
- 13 Safety Act.....\$ 75,000 \$ 75,000"

Amendment H—4045 was adopted.

Lageschulte of Bremer asked and received unanimous consent to withdraw amendment H—4093 filed by Lageschulte, et al., on April 24, 1979, placing out of order amendment H—4110 (to amendment H—4093) filed by Miller of Buchanan on April 25, 1979.

Bruner of Story offered amendment H—4106 filed by Bruner, et al., and requested division as follows:

H—4106

1 Amend House File 742 as follows:

H—4106A

2 1. Page 7, by striking lines 9 through 14 and
 3 inserting in lieu thereof the following:
 4 "support, maintenance,
 5 and miscellaneous pur-
 6 poses.....\$2,185,620 \$2,170,793"

H—4106B

7 2. Page 7, by inserting after line 14 the
 8 following:
 9 "It is the intent of the general assembly that
 10 the attorney general hire a qualified attorney to
 11 act as a consumer advocate within a division of
 12 consumer advocacy to represent residential and farm
 13 energy consumers in proceedings before the Iowa
 14 state commerce commission and other state and
 15 federal agencies and courts. Whenever the division
 16 of consumer advocacy represents the consumer interest
 17 in a proceeding initiated by application of a public
 18 utility for a product or service or in a proceeding
 19 initiated by application of a public utility to
 20 initiate, discontinue or change a service, or in a
 21 proceeding resulting from complaints or petitions
 22 of consumers concerning a public utility, the con-
 23 sumer advocate may assess the public utility an
 24 amount not to exceed one-tenth of one percent of
 25 the revenues of the public utility from its intra-
 26 state sales in the calendar year last preceding the
 27 initiation of the proceeding. The assessment shall
 28 not exceed the actual costs incurred by the office
 29 of consumer advocate in the proceeding including
 30 but not limited to pro rata consumer advocate office
 31 and salary expenses. If the assessment exceeds five
 32 hundred thousand dollars the consumer advocate shall

33 send the public utility an itemized statement of the
 34 amount, as of the date of the statement, of the
 35 applicable costs. For purposes of section two
 36 hundred five (205) of the Energy Conservation Policy
 37 Act of 1976 as amended to January 1, 1979, the
 38 division of consumer advocacy is the office in the
 39 state responsible for assisting consumers in presen-
 40 tations before the Iowa state commerce commission and
 41 shall be the recipient of any federal funds available
 42 to the state to implement that section.

Bruner of Story moved the adoption of amendment H—4106A.

Roll call was requested by Jochum of Dubuque and Welsh of Dubuque.

On the question "Shall amendment H—4106A be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Krewson
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Pavich	Rapp
Sherzan	Walter	Wells	Welsh

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Dieleman
Diemer	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 10:

Danker	Doyle	Egenes	Evans
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Lind
West

Patchett
Woods

Perkins

Shimanek

Amendment H—4106A lost.

Bruner of Story offered the following amendment H—4117, to amendment H—4106, filed by him and Rapp of Black Hawk and moved its adoption:

H—4117

1 Amend amendment H—4106 to House File 742 as
2 follows:
3 1. Page 1, line 9, by striking the word "It"
4 and inserting in lieu thereof the following:
5 "However, the general office of the attorney
6 general may exceed the number of full-time equiv-
7 alent positions for the purpose of establishing
8 an office of consumer advocate. Contingent upon
9 the receipt of federal funds for this purpose,
10 it".

A non-record roll call was requested.

The ayes were 39, nays 48.

Amendment H—4117 lost.

Bruner of Story asked and received unanimous consent to withdraw amendment H—4106B and amendment H—4125 (to amendment H—4106B) filed by him from the floor.

Action on amendment H—4114 was temporarily deferred.

Cochran of Webster offered the following amendment H—4128 filed by him from the floor and moved its adoption:

H—4128

1 Amend House File 742 as follows:
2 1. Page 11, by inserting after line 11 the
3 following:
4 "the presiding officer of each house who may provide
5 a copy to".
6 2. Page 11, by inserting after line 35 the
7 following:
8 "presiding officer of each house who may provide
9 a copy to the".

Amendment H—4128 was adopted.

Avenson of Fayette offered amendment H—4114 filed by him and requested division as follows:

H—4114

1 Amend House File 742 as follows:

H—4114A

2 1. Page 9, by inserting after line 29 the
 3 following:
 4 "e. For an archive
 5 depository which the
 6 Iowa state historical
 7 department shall
 8 establish at the
 9 University of Northern
 10 Iowa \$ 50,000 \$ "

H—4114B

11 2. Page 9, by inserting after line 29 the
 12 following:
 13 "f. For a study
 14 of the feasibility
 15 and desirability of
 16 establishing a
 17 statewide archive
 18 depository system \$ 5,000 \$ "

Avenson of Fayette moved the adoption of amendment H—4114A.

Roll call was requested by Byerly of Polk and O’Kane of Woodbury.

On the question “Shall amendment H—4114A be adopted?”

The ayes were, 38:

- | | | | |
|--------------|-----------------|-----------|----------|
| Anderson, R. | Arnould | Avenson | Bina |
| Binneboese | Brandt | Bruner | Byerly |
| Cochran | Connolly | Connors | Cusack |
| Davitt | Dieleman | Diemer | Gettings |
| Hall | Halvorson, R.N. | Hinkhouse | Horn |
| Howell | Husak | Jay | Jesse |
| Jochum | Lonergan | Miller | Norland |

O'Kane	Oxley	Pavich	Rapp
Sherzan	Shull	Walter	Wells
Welsh	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crawford	Daggett
Danker	De Groot	Egenes	Evans
Groth	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Pope
Ritsema	Schneklath	Schroeder	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 13:

Chiodo	Corey	Crabb	Doyle
Harbor	Hullinger	Johnson, R.	Lind
Patchett	Perkins	Poffenberger	Shimanek
Stromer			

Amendment H—4114A lost.

Avenson of Fayette moved the adoption of amendment H—4114B.

Roll call was requested by Anderson of Jasper and Groth of Buena Vista.

On the question "Shall amendment H—4114B be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Lonergan	Menke
Miller	Norland	Oxley	Pavich
Rapp	Sherzan	Shull	Spear
Tofte	Walter	Welsh	Woods

The nays were, 47:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hoffmann	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lorenzen	Lura
Maulsby	McKean	Mullins	O'Kane
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 13:

Chiodo	Daggett	Doyle	Evans
Harbor	Holt	Hullinger	Lind
Patchett	Perkins	Shimanek	Smalley
Wells			

Amendment H — 4114B lost.

Anderson of Jasper offered the following amendment H — 4122 filed by Anderson, et al. :

H — 4122

- 1 Amend House File 742 as follows:
- 2 1. Page 13, by inserting after line 20 the
- 3 following:
- 4 "14. LEGISLATIVE
- 5 OVERSIGHT BUREAU
- 6 For salaries and
- 7 support of not more than
- 8 five full-time
- 9 equivalent positions,
- 10 maintenance, and
- 11 miscellaneous purposes.....\$ 100,000 \$ 100,000"

Speaker pro tempore Harbor of Mills in the chair at 3:41 p.m.

Anderson of Jasper moved the adoption of amendment H — 4122.

Roll call was requested by Anderson of Jasper and Cusack of Scott.

On the question "Shall amendment H—4122 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Cochran
Conlon	Connolly	Connors	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hinkhouse
Horn	Howell	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Walter	Wells
Welsh	Woods		

The nays were, 50:

Bennett	Branstad	Byerly	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker (Harbor)		

Absent or not voting, 12:

Anderson, J.	Chiodo	Doyle	Hullinger
Husak	Lind	Millen	Patchett
Perkins	Shimanek	Smalley	West

Amendment H—4122 lost.

Groth of Buena Vista offered the following amendment H—4121 filed by him:

H—4121

- 1 Amend House File 742 as follows:
- 2 1. Page 14, by inserting after line 1 the
- 3 following:
- 4 "not to exceed the number
- 5 of employees employed as

6 of July 1, 1979, and the
7 number of vacancies which
8 have occurred within ninety
9 days prior to July 1, 1979,
10 and".

Groth of Buena Vista offered the following amendment H—4127, to amendment H—4121, filed by him from the floor and moved its adoption:

H—4127

1 Amend amendment H—4121 to page 14 of House
2 File 742 as follows:
3 1. Page 1, by inserting after line 10 the
4 following:
5 "2. Page 14, by inserting after line 4 the
6 following:
7 "However, such limitation on employees may be
8 waived by the executive council if the caseload of
9 the courts necessitates additional employees." "

Amendment H—4127 lost.

Groth of Buena Vista moved the adoption of amendment H—4121.

Roll call was requested by Groth of Buena Vista and Bina of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—4121 be adopted?"

The ayes were, 43:

Anderson, J.	Anderson, R.	Arnould	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Crabb
Cusack	Davitt	Dieleman	Diemer
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jochum
Lloyd-Jones	Loneragan	Maulsby	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 48:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crawford	Daggett
Danker	De Groot	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hoffmann
Holt	Hummel	Jesse	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lorenzen	Lura
McKean	Menke	Millen	Pellett
Pelton	Pope	Ritsema	Schneklloth
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Harbor)

Absent or not voting, 9:

Avenson	Chiodo	Doyle	Lind
Mullins	Patchett	Perkins	Poffenberger
Shimanek			

Amendment H — 4121 lost.

Anderson of Jasper offered the following amendment H — 4118 filed by him:

H — 4118

- 1 Amend House File 742 as follows:
- 2 1. Page 15, by striking line 32 and inserting
- 3 in lieu thereof the following:
- 4 "neous services, however,
- 5 the funds appropriated
- 6 in this paragraph shall
- 7 not be used if the
- 8 director enters into
- 9 any contract, or
- 10 initiates negotiations
- 11 or proceedings, for
- 12 construction of any
- 13 building or other
- 14 capital project
- 15 requiring state funds
- 16 which has not been
- 17 specifically approved
- 18 by the General
- 19 Assembly.....\$ 158,104 \$ 157,291"

Anderson of Jasper offered the following amendment H—4124, to amendment H—4118, filed by him from the floor and moved its adoption:

H—4124

- 1 Amend amendment H—4118, to page 15 of House File
- 2 742, as follows:
- 3 1. Page 1, by striking lines 15 through 19 and
- 4 inserting in lieu thereof the following:
- 5 "which would be in violation
- 6 of section seven hundred
- 7 twenty-one point two (721.2),
- 8 subsection one (1), Code
- 9 1979.....\$ 158,104 \$ 157,291"

Amendment H—4124 was adopted.

Anderson of Jasper moved the adoption of amendment H—4118, as amended.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 49, nays 43.

Amendment H—4118, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Danker of Pottawattamie on request of Crabb of Crawford; Jay of Appanoose on request of Van Maanen of Mahaska; both for the remainder of the day.

Johnson of Linn asked and received unanimous consent to withdraw amendment H—4111 (to page 16) filed by him and Schroeder of Pottawattamie on April 25, 1979.

Howell of Floyd offered the following amendment H—4113 filed by him and Lloyd-Jones of Johnson:

H—4113

- 1 Amend House File 742 as follows:

2 1. Page 22, by inserting after line 1 the following
3 section:

4 "Sec. Chapter seventy-nine (79), Code 1979,
5 is amended by adding the following new section:

6 NEW SECTION. Commencing January 1, 1980 the
7 department of general services and other state
8 agencies, except the state board of regents, that
9 provide parking facilities for state employees and
10 officials shall charge each employee and official
11 who uses the parking facilities a fee of not more
12 than twenty dollars per month. The amount of the
13 fee shall be determined by each state agency required
14 to charge a fee by this section. The director of
15 the department of general services and other state
16 agencies that provide parking facilities shall
17 promulgate rules to implement this section."

18 2. Page 22, by inserting after line 1 the following
19 section:

20 "Sec. Chapter seventy-nine (79), Code 1979,
21 is amended by adding the following new section:

22 NEW SECTION. Parking fees collected from state
23 employees and officials by the state department of
24 general services and other state agencies, except
25 the state board of regents, that provide parking
26 facilities for state employees and officials shall
27 be remitted to the treasurer of state and deposited
28 in the general fund of the state and are appropriated
29 to the state department of transportation to be used
30 for public transit programs."

Welden of Hardin rose on a point of order that amendment H-4113 was not germane.

The Speaker ruled the point well taken and amendment H-4113 not germane.

Howell of Floyd asked for unanimous consent to suspend the rules for the consideration of amendment H-4113.

Objection was raised.

Howell of Floyd moved to suspend the rules for the consideration of amendment H-4113.

Roll call was requested by Howell of Floyd and Lloyd-Jones of Johnson.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-4113?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Hullinger	Husak	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Pellett	Pelton	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting, 12:

Chiodo	Cusack	Danker	Doyle
Jay	Lind	Millen	Mullins
Patchett	Perkins	Poffenberger	Stromer

The motion lost placing the following amendments to amendment H-4113 out of order:

Amendment H-4123 filed by Johnson of Howard from the floor.

Amendment H-4126 filed by Howell of Floyd from the floor.

Amendment H-4138 filed by Lloyd-Jones of Johnson from the floor.

Bina of Scott asked for unanimous consent to suspend the previous question rules for the consideration of amendment H-4137.

Objection was raised.

Bina of Scott moved that the rules be suspended for the consideration of the following amendment H—4137 filed by him from the floor:

H—4137

- 1 Amend House File 742 as follows:
- 2 1. Page 21, by striking lines 22 through 25 and
- 3 inserting in lieu thereof the following: "disaster,
- 4 or which expended at least fifty percent over the
- 5 budgeted amount on snow removal or road maintenance
- 6 due to excessive snowfall or flooding, shall
- 7 receive through the executive council a grant not
- 8 to exceed fifty percent of the governmental sub-
- 9 division's operating budget for the fiscal year
- 10 in which the natural disaster occurs or fifty
- 11 percent of the governmental subdivision's budget
- 12 for snow removal or road maintenance for the fiscal
- 13 year in which the excessive snowfall or flooding
- 14 occurs. The amount of the financial".
- 15 2. Page 21, by striking lines 31 and 32 and
- 16 inserting in lieu thereof the following: "a
- 17 governmental subdivision which loses income or
- 18 incurs expenses due to a natural disaster or
- 19 unusual weather occurring after October 1, 1978.
- 20 The Code editor shall".

Roll call was requested by Walter of Pottawattamie and Gettings of Wapello.

On the question "Shall the rules be suspended to consider amendment H—4137?"

The ayes were, 35:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Gettings	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Diemer
Egenes	Evans	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Shull	Smalley	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Weiden	West	Mr. Speaker (Harbor)	

Absent or not voting, 14:

Chiodo	Cusack	Danker	Doyle
Jay	Jesse	Lind	Millen
Oxley	Patchett	Perkins	Schroeder
Shimanek	Stromer		

The motion lost.

Halvorson of Clayton asked and received unanimous consent to suspend the rules for the consideration of amendment H—4142.

Shimanek of Jones* offered the following amendment H—4142 filed by Shimanek, Jesse, Ritsema and Hansen of O'Brien from the floor and moved its adoption:

H—4142

- 1 Amend House File 742 as follows:
- 2 1. Page 15, by inserting after line 6 the
- 3 following:
- 4 "Sec. . . Section six hundred five point two
- 5 (605.2), Code 1979, is amended to read as follows:
- 6 605.2 EXPENSES. Where a magistrate or judge of
- 7 the district court, court of appeals or supreme court
- 8 is required, in the discharge of official duties, to
- 9 leave the county of the magistrate's or judge's
- 10 residence or leave the city of the judge's residence
- 11 to perform such duties, the magistrate or judge shall
- 12 be paid such actual and necessary expenses for living
- 13 quarters and living expenses not to exceed the sum of
- 14 twenty-two dollars per day and transportation expenses
- 15 as shall be incurred in the performance of his or her

- 16 duties not to exceed a maximum amount set by the
 17 supreme court by rule prescribing the maximum
 18 amount, terms and conditions for reimbursement.
 19 Expenses for judges of the court of appeals are
 20 limited as provided in section 684.45."
 21 2. Renumber the sections as required.

Amendment H—4142 was adopted.

Speaker Millen in the chair at 5:20 p.m.

Lageschulte 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?" (H.F. 742)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Daggett	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellet	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Lura

Absent or not voting, 8:

Chiodo	Cusack	Danker	Doyle
Jay	Lind	Patchett	Perkins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 742)

Welden of Hardin asked and received unanimous consent to immediately message House File 742 to the Senate.

House File 735, a bill for an act appropriating funds to the office for planning and programming to match economic development federal funds, was taken up for consideration.

Welden of Hardin offered the following amendment H-4044 filed by Welden, et al., and moved its adoption:

H-4044

- 1 Amend House File 735 as follows:
- 2 1. Page 1, by inserting after line 11 the
- 3 following:
- 4 "Sec. 2. There is appropriated to the office for
- 5 planning and programming for the fiscal period
- 6 beginning with the effective date of this Act and
- 7 ending June 30, 1979 the sum of fifty thousand (50,000)
- 8 dollars, or so much thereof as is necessary, for
- 9 salaries, support, maintenance, and miscellaneous
- 10 purposes required for planning and administration
- 11 of the federal Highway Safety Act. Funds appropriated
- 12 by this section shall be used to match federal funds
- 13 available for the same purpose."
- 14 2. Title page, line 2, by inserting after the
- 15 word "development" the words "and highway safety".
- 16 3. By renumbering the remaining section as re-
- 17 quired.

Amendment H-4044 was adopted.

Lageschulte 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?" (H.F. 735)

The ayes were, 88:

Anderson, J.

Anderson, R.

Arnould

Avenson

Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Branstad	Chiodo	Cusack	Daggett
Danker	Doyle	Jay	Jesse
Lind	Patchett	Perkins	Shimanek

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (House File 735)

Welden of Hardin asked and received unanimous consent to immediately message House File 735 to the Senate.

SENATE AMENDMENTS CONSIDERED

Thompson of Polk called up for consideration **House File 632**, a bill for an act relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the limitation on the levying of a tax to aid in the payment of the bonds, amended by the Senate amendment H—4033, received from the Senate on April 20 and found on page 1658 of the House Journal, and moved that the House concur in the Senate amendment H—4033.

The motion prevailed and the House concurred in the Senate amendment H—4033.

Thompson 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 632)

The ayes were, 76:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Cannolly	Connors	Corey
Crabb	Crawford	Daggett	Davitt
Dieleman	Diemer	Evans	Gettings
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Horn	Howell	Hummel	Husak
Jochum	Johnson, J.	Johnson, R.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	McKean
Miller	Mullins	Norland	O'Kane
Oxley	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 11:

Bina	Branstad	De Groot	Groth
Hinkhouse	Hullinger	Maulsby	Menke
Pavich	Walter	Welden	

Absent or not voting, 13:

Chiodo	Cusack	Danker	Doyle
Egenes	Holt	Jay	Jesse
Johnson, W.	Lind	Patchett	Perkins
Shimanek			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE REFUSED TO CONCUR

Hoffmann of Muscatine called up for consideration **House File 706**, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service, amended by the Senate amendment H-4032, received from the Senate on April 20 and found on page 1659 of the House Journal, and moved that the House concur in the Senate amendment H-4032.

The motion lost and the House refused to concur in the Senate amendment.

HOUSE FILE 649 DEFERRED

Schroeder of Pottawattamie called up for consideration **House File 649**, a bill for an act to amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans, amended by the Senate amendment H-3825, received from the Senate April 10 and found on pages 1479 and 1480 of the House Journal.

O'Kane of Woodbury offered the following amendment H-4048, to the Senate amendment H-3825, filed by him and moved its adoption:

H-4048

- 1 Amend the Senate amendment, H-3825, to House File
- 2 649 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the
- 5 following:
- 6 " Page 1, by inserting before line 1 the
- 7 following:
- 8 "Section 1. Chapter three hundred twenty-one (321),
- 9 Code 1979, is amended by adding the following new
- 10 section:
- 11 **NEW SECTION. SEMITRAILER RETAIL INSTALLMENT**
- 12 **CONTRACT - FINANCE CHARGES.** Notwithstanding the
- 13 provisions of any other law, a retail installment
- 14 contract or agreement for the sale of a semitrailer
- 15 may include a finance charge not in excess of the
- 16 following rates:
- 17 Class 1. Any new semitrailer designated by the
- 18 manufacturer by a year model not earlier than the

19 year in which the sale is made, an amount equivalent
20 to one and one-fourth percent per month simple interest
21 on the declining balance of the amount financed.

22 Class 2. Any new semitrailer not in Class 1 and
23 any used semi-trailer designated by the manufacturer
24 by a year model of the same or not more than two years
25 prior to the year in which the sale is made, an amount
26 equivalent to one and three-fourths percent per month
27 simple interest on the declining balance of the amount
28 financed.

29 Class 3. Any used semitrailer not in Class 2 and
30 designated by the manufacturer by a year model more
31 than two years prior to the year in which the sale
32 is made, an amount equivalent to two and one-fourth
33 percent per month simple interest on the declining
34 balance of the amount financed.

35 Amount financed shall be as defined in section
36 five hundred thirty-seven point one thousand three
37 hundred one (537.1301) of the Code." "

Amendment H—4048 was adopted.

Schroeder of Pottawattamie offered the following amendment
H—4043, to the Senate amendment H—3825, filed by him and
Chiodo of Polk and moved its adoption:

H—4043

1 Amend the Senate amendment, H—3825, to House File
2 649 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 16 the
5 following:

6 " . Page 8, by inserting after line 24 the
7 following:

8 "Sec. . Section five hundred twenty-four point
9 eight hundred fourteen (524.814), subsection one (1),
10 Code 1979, is amended to read as follows:

11 1. To secure deposits when a customer is required
12 to obtain such security by the laws of the United
13 States, by any agency or instrumentality of the United
14 States, by the laws of the state of Iowa, by the state
15 board of regents, by a resolution or ordinance relating
16 to the issuance of bonds, by the terms of any
17 interstate compact or by order of any court of
18 competent jurisdiction." "

19 2. By renumbering paragraphs of the amendment
20 in conformity with this amendment.

Amendment H—4043 was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to defer action on House File 649 and that the bill retain its place on the calendar.

(Senate amendment H—3825, as amended, pending.)

HOUSE REFUSED TO CONCUR

Pellett of Cass called up for consideration **House File 671**, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program, amended by the Senate amendment H—4051, received from the Senate on April 23 and found on pages 1717 through 1721 of the House Journal.

Miller of Buchanan asked and received unanimous consent to withdraw amendment H—4133, to the Senate amendment H—4051, filed by him from the floor.

Pellett of Cass moved that the House concur in the Senate amendment H—4051.

The motion lost and the House refused to concur in the Senate amendment H—4051.

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 on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 687, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO HOUSE FILE 687

H—4141

- 1 Amend House File 687 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by inserting after line 10 the

4 following:

5 "Sec. 6. Section sixty-eight B point two (68B.2),
6 Code 1979, is amended by adding the following new
7 subsections:

8 NEW SUBSECTION. "Gift" means a rendering of money,
9 property, services, discount, loan forgiveness, payment
10 of indebtedness, or anything else of value in return
11 for which legal consideration of equal or greater
12 value is not given and received. However, "gift"
13 does not mean any of the following:

14 a. Anything received by a donee whose official
15 action or lack of official action will potentially
16 have no material effect, distinguishable from material
17 effects on the public generally, on the interests
18 of the donor.

19 b. Campaign contributions.

20 c. Informational material relevant to a public
21 servant's official functions, such as books, pamphlets,
22 reports, documents, or periodicals.

23 d. Anything received from a person related within
24 the fourth degree by kinship or marriage, unless the
25 donor is acting as an agent or intermediary for another
26 person not so related.

27 e. Anything which is donated within thirty days
28 after its receipt to a public body or to a bona fide
29 educational or charitable organization, without the
30 donation being claimed at any time as a charitable
31 contribution for tax purposes.

32 f. An inheritance.

33 g. Anything available to or distributed to the
34 public generally without regard to official status
35 of the recipient.

36 h. Reimbursement for or payment of actual expenses
37 incurred for public speaking engagements or other
38 formal public appearances.

39 NEW SUBSECTION. "Local official" and "local
40 employee" mean an official or employee of the political
41 subdivisions of this state.

42 Sec. 7. Chapter sixty-eight B (68B), Code 1979,
43 is amended by adding the following new section:

44 NEW SECTION. REPORTING OF GIFTS.

45 1. An official, employee, member of the general
46 assembly, or legislative employee shall file a report
47 with the secretary of state describing the nature,
48 amount, date and donor of any gift received by that
49 person which exceeds ten dollars in value. The report
50 shall be filed by the fifteenth of the month following

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1 a month in which such a gift was received. A person
2 subject to this subsection shall also file an annual
3 report listing all such gifts received during the
4 year by the following January fifteenth if any such
5 gifts were received during that year.

6 2. A local official or local employee shall file
7 a report with the county auditor of the county of
8 that person's residence describing the nature, amount,
9 date and donor of any gift received by that person
10 which exceeds ten dollars in value. The report shall
11 be filed by the fifteenth of the month following a
12 month in which such a gift was received. A local
13 official or local employee shall also file an annual
14 report listing all such gifts received during the
15 year by the following January fifteenth if any such
16 gifts were received during that year.

17 3. The secretary of state shall develop a standard
18 form for the filing of reports under this section
19 which shall be available without cost to those persons
20 filing.

21 Sec. 8. Section sixty-eight B point five (68B.5),
22 Code 1979, is amended to read as follows:

23 68B.5 GIFTS SOLICITED OR ACCEPTED. No official,
24 employee, member of the general assembly, or
25 legislative employee shall, directly or indirectly,
26 solicit, accept, or receive any gift having a value
27 of twenty-five dollars or more whether in the form
28 of money, service, loan, travel, entertainment,
29 hospitality, thing, or promise, or in any other form.
30 No person shall, directly or indirectly, offer or
31 make any such gift to any official, employee, member
32 of the general assembly, or legislative employee which
33 has a value in excess of twenty-five dollars. Nothing
34 herein shall preclude campaign contributions or gifts
35 which are unrelated to legislative activities or to
36 state employment."

37 2. Page 2, by inserting after line 16 the following
38 new section:

39 "Sec. . Section seventy-nine point three (79.3),
40 Code 1979, is amended to read as follows:

41 79.3 APPRAISERS OF PROPERTY. The compensation
42 of appraisers appointed by authority of law to appraise
43 property for any purpose shall be fifty cents per
44 hour for each appraiser for the time necessarily spent
45 in effecting the appraisal and the mileage expense
46 for the distance traveled in going to and returning
47 from the place of appraisal, which shall, unless
48 paid a reasonable amount determined by the sheriff
49 of the county in which the property appraised is
50 located. Unless otherwise provided, the amount paid

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1 shall be paid out of the property appraised or by
2 the owner thereof."

3 3. Page 4, by inserting after line 28 the following
4 new section:

5 "Sec. . . . Section one hundred twenty-three point
6 ninety-one (123.91), subsection three (3), Code 1979,
7 is amended to read as follows:

8 3. Any provision of the laws of the United States
9 or of any other state relating to intoxicating liquors
10 or beer, and who is thereafter convicted of a sub-
11 sequent criminal offense against any provision of
12 this chapter shall be punished as follows is guilty
13 of the following offenses:

14 a. For his the second conviction, by a fine of
15 not less than five hundred dollars nor more than one
16 thousand dollars, and by imprisonment in the county
17 jail or the state penitentiary for not less than six
18 months nor more than one year a serious misdemeanor.

19 b. For his the third and each subsequent
20 conviction, by a fine of not less than one thousand
21 dollars nor more than three thousand dollars and
22 imprisonment in the state penitentiary for not more
23 than three years an aggravated misdemeanor."

24 4. Page 6, by inserting after line 13 the following
25 new sections:

26 "Sec. . . . Section two hundred four point one
27 hundred one (204.101), subsection seventeen (17),
28 paragraph d, Code 1979, is amended to read as follows:

29 d. Coca leaves and any salt, compound, derivative,
30 or preparation of coca leaves, and any salt, compound,
31 isomer, stereoisomer, derivative, or preparation
32 thereof which is chemically equivalent or identical
33 with any of these substances, but not including
34 decocainized coca leaves or extractions of coca leaves
35 which do not contain cocaine or ecgonine.

36 Sec. . . . Section two hundred four point two
37 hundred six (204.206), subsection five (5), paragraph
38 d, Code 1979, is amended to read as follows:

39 d. Methylphenidate and its salts.

40 Sec. . . . Section two hundred four point two
41 hundred six (204.206), subsection six (6), is amended
42 to read as follows:

43 6. Cocaine and its salts."

44 5. Page 12, by inserting after line 25 the
45 following new section:

46 "Sec. . . . Section three hundred twenty-one point
47 eighty-nine (321.89), subsection three (3), paragraph
48 a, Code 1979, is amended to read as follows:

49 a. A police authority which takes into custody
50 an abandoned vehicle shall notify, within ten twenty

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1 days, by certified mail, the last known registered
2 owner of the vehicle and all lienholders of record,
3 addressed to their last known address of record, that
4 the abandoned vehicle has been taken into custody.
5 Notice shall be deemed given when mailed. The notice
6 shall describe the year, make, model, and serial
7 number of the vehicle, set forth the location of the
8 facility where it is being held, inform the owner
9 and any lienholders of their right to reclaim the
10 vehicle within twenty-one days after the effective
11 date of the notice upon payment of all towing,
12 preservation, and storage charges resulting from
13 placing the vehicle in custody and upon payment of
14 the costs of notice required pursuant to this
15 subsection. The notice shall also state that the
16 failure of the owner or lienholders to exercise their
17 right to reclaim the vehicle within the time provided
18 shall be deemed a waiver by the owner and all
19 lienholders of all right, title, claim and interest
20 in the vehicle and that such failure to reclaim the
21 vehicle is deemed consent to the sale of the vehicle
22 at a public auction or disposal of the vehicle to
23 a demolisher. If the owner and lienholders do not
24 exercise their right to reclaim such vehicle within
25 the twenty-one-day reclaiming period, such owner and
26 lienholders shall no longer have any right, title,
27 claim, or interest in or to such vehicle. No court
28 in any case in law or equity shall recognize any
29 right, title, claim, or interest of any such owner
30 and lienholders after the expiration of the twenty-
31 one-day reclaiming period."

32 6. Page 18, by inserting after line 26 the
33 following new section:

34 "Sec. . Section four hundred fifty-five point
35 one hundred nine (455.109), Code 1979, is amended
36 to read as follows:

37 455.109 REASSESSMENT TO CURE ILLEGALITY. Whenever
38 any special assessment upon any lands within any
39 drainage district shall have been heretofore adjudged
40 to be void for any jurisdictional defect or for any
41 illegality or uncertainty as to the terms of any
42 contract and the improvement shall have been wholly
43 completed, the board or boards of supervisors shall
44 have power to remedy such illegality or uncertainty
45 as to the terms of any such contract with the consent
46 of the person with whom such contract shall have been
47 entered into and make certain the terms of such
48 contract and shall then cause a reassessment of such
49 land to be made on an equitable basis with the other
50 land in the district by taking the steps required

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1 by law in the making of an original assessment and
2 relieving the tax in accordance with such assessment,
3 and such tax shall have the same force and effect
4 as though the board or boards of supervisors had
5 jurisdiction in the first instance and no illegality
6 or uncertainty existed in the contract."

7 7. Page 19, by inserting after line 11 the
8 following:

9 "Sec. 56. Section seven hundred twenty-two point
10 one (722.1), Code 1979, is amended to read as follows:

11 722.1 BRIBERY. A person who offers, promises
12 or gives anything of value or any benefit to any
13 person who is serving or has been elected, selected,
14 appointed, employed or otherwise engaged to serve
15 in a public capacity, including any public officer
16 or employee, any referee, juror or venireman, or any
17 witness in any judicial or arbitration hearing or
18 any official inquiry, or any member of a board of
19 arbitration, with intent to pursuant to an agreement
20 or arrangement or with the understanding that the
21 promise or thing of value or benefit will influence
22 the act, vote, opinion, judgment, decision or exercise
23 of discretion of such person with respect to his or
24 her services in such capacity commits a class "D"
25 felony. In addition, any person convicted under this
26 section shall be disqualified from holding public
27 office under the laws of this state.

28 Sec. 57. Section seven hundred twenty-two point
29 two (722.2), Code 1979, is amended to read as follows:

30 722.2 ACCEPTING BRIBE. Any person who is serving
31 or has been elected, selected, appointed, employed
32 or otherwise engaged to serve in a public capacity,
33 including any public officer or employee, any referee,
34 juror or venireman, or any witness in any judicial
35 or arbitration hearing or any official inquiry, or
36 any member of a board of arbitration who shall solicit
37 or knowingly accept or receive any promise or anything
38 of value or any benefit given with the intent to
39 pursuant to an understanding or arrangement that the
40 promise or thing of value or benefit will influence
41 the act, vote, opinion, judgment, decision or exercise
42 of discretion of such person with respect to his or
43 her services in that capacity commits a class "C"
44 felony. In addition, any person convicted under this
45 section shall be disqualified from holding public
46 office under the laws of this state."

47 8. Page 19, by inserting after line 11 the
48 following new sections:

49 "Sec. . Chapter six hundred seventy-five (675),
50 Code 1979, is amended by adding the following new

Page 6

1 section:

2 NEW SECTION. For the purposes of this chapter,
3 "child" means a person less than eighteen years of
4 age.

5 Sec. . Section six hundred seventy-five point
6 twenty-five (675.25), Code 1979, is amended to read
7 as follows:

8 675.25 FORM OF JUDGMENT. The judgment shall be
9 for annual amounts, equal or varying, having regard
10 to the obligation of the father under section 675.1,
11 as the court directs, until the child reaches the
12 age of ~~sixteen~~ eighteen years. The payments may be
13 required to be made at such periods or intervals as
14 the court directs."

15 9. Page 19, by striking line 16 and inserting
16 in lieu thereof the following: "permits to carry
17 weapons authorized by this chapter and of permit
18 revocations".

19 10. Page 19, by inserting after line 17 the
20 following:

21 "Sec. . Section seven hundred twenty-four point
22 four (724.4), subsection six (6), is amended to read
23 as follows:

24 6. Any person who for any lawful purpose carries
25 or transports an unloaded pistol or revolver in any
26 vehicle inside a closed and fastened container or
27 securely wrapped package which is too large to be
28 concealed on the person or inside a cargo or luggage
29 compartment where the pistol or revolver will not
30 be readily accessible to any person riding in a vehicle
31 or common carrier."

32 11. Renumbering the sections to conform with this
33 amendment.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26 day of April, 1979: House Files 307, 677, 694, 696, 709, 711 and 712.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventeen students from Bellevue High School, Bellevue, Iowa, accompanied by Marion Junk. By Welsh of Dubuque.

Six 4-H members from Louisa County, accompanied by Gayle Olson. By Hoffmann of Muscatine and Corey of Louisa.

Junior Girl Scout Troop 280 from Corwith, Iowa, accompanied by Becky De Sario. By Mullins of Kossuth.

Thirty sixth grade students from Gladbrook Elementary School, Gladbrook, Iowa, accompanied by Barbara Seda. By Evans of Grundy.

Sixty-four students from East Elementary School, Pleasantville, Iowa, accompanied by Ruth Shoop and Cindy Schröder. By Anderson of Jasper.

Fifteen international students from Marshalltown Community College, Marshalltown, Iowa, accompanied by Nancy Earney. By Lura of Marshall.

Sixty-five fifth and sixth grade students from Harris-Lake Park Elementary School, Harris, Iowa, accompanied by Mr. Jablonski, Mrs. Zahren, Mrs. Nowattarski, Mr. and Mrs. Behle and Mr. Schumacher. By Hansen of O'Brien.

Forty-five eighth grade students from West Harrison Elementary School, Pisgah, Iowa, accompanied by Darlene Hime, Ron Ullerich and Larry White. By Crabb of Crawford.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 25. Had I been present, I would have voted "aye" on House File 468.

HOFFMANN of Muscatine

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill a bill for an act making an appropriation to establish a juvenile victim restitution program.

Recommended Do Pass.

Senate File 471, a bill for an act making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the department of revenue from the motor vehicle fuel tax fund and to the department of job service from the Iowa public employees' retirement system fund.

Recommended Amend and Do Pass.

H-4130

- 1 Amend Senate File 471, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 4, by striking lines 32 through 35, and
4 inserting in lieu thereof the words "It is the intent
5 of the general assembly that the general public have an
6 opportunity to be heard on rate increase proposals and
7 that the commission shall provide for the taking of
8 testimony for the record from affected customers at
9 major population centers within the affected areas."

AMENDMENTS FILED

Table with 3 columns: Bill Number, Senate File Number, and Name of Member. Includes entries for H-4131 and H-4132.

H—4134 H.F. 669
 H—4135 H.F. 725
 H—4136 S.F. 487

 H—4139 H.F. 669
 H—4140 H.F. 725
 H—4143 H.F. 687
 H—4144 S.F. 487

Lura of Marshall
 Miller of Buchanan
 Norland of Worth
 Poffenberger of Dallas
 Thompson of Polk
 Hibbs of Johnson
 Pope of Polk
 Mullins of Kossuth
 Hall of Linn
 Hanson of Delaware
 Egenes of Story
 Crawford of Story
 Lorenzen of Scott
 Shull of Warren
 Woods of Polk
 Wells of Linn
 Binneboese of Plymouth
 Lonergan of Boone
 Welsh of Dubuque
 Pavich of Pottawattamie
 Gettings of Wapello
 Walter of Pottawattamie
 Rapp of Black Hawk
 Halvorson of Webster
 Brandt of Black Hawk
 Lloyd-Jones of Johnson
 Bruner of Story

Miller of Buchanan
 Byerly of Polk
 Evans of Grundy
 Maulsby of Calhoun
 Husak of Tama
 Norland of Worth
 Krewson of Polk
 Evans of Grundy
 Spear of Lee
 Lura of Marshall
 Krewson of Polk
 Clark of Cerro Gordo
 Hummel of Benton
 Spear of Lee
 Arnould of Scott
 Howell of Floyd
 Avenson of Fayette
 Cusack of Scott
 Ritsema of Sioux
 Larsen of Wapello
 Kirkenlager of Des Moines
 Anderson of Jasper
 Shimapek of Jones
 Evans of Grundy
 Jay of Appanoose
 Byerly of Polk
 Connolly of Dubuque
 Groth of Buena Vista
 Connors of Polk
 Jochum of Dubuque
 Horn of Linn
 O'Kane of Woodbury
 Bina of Scott
 Sherzan of Polk
 Jesse of Polk
 Davitt of Warren
 Cochran of Webster

On motion by Halvorson of Clayton the House adjourned at 6:00 p.m. until 9:00 a.m., Friday, April 27, 1979.

JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day—Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 27, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Edgar Kruse, pastor of the Grace Lutheran Church, Waterloo, Iowa.

The Journal of Thursday, April 26, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David MacMillan, Waverly, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson for a portion of the day on request of Bina of Scott.

INTRODUCTION OF BILL

House File 746, by committee on ways and means, a bill for an act to increase the interest rate for late payment of the inheritance tax due.

Read first time and placed on the ways and means 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 on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2, a bill for an act increasing the maximum lending limit of a small loan company.

Also: That the Senate has on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 450, a bill for an act relating to the responsibilities of a person who acquires a railroad right-of-way outside of a city or contiguous to agricultural land in a city.

Also: That the Senate has on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Also: That the Senate has on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 670, a bill for an act relating to mining and providing penalties.

Also: That the Senate has on April 25, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 672, a bill for an act authorizing township trustees to divide a township into taxing districts to provide fire protection service.

Also: That the Senate has on April 18, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 680, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 98, a bill for an act to change the title of the overseer of the poor to general relief director and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 183, a bill for an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 203, a bill for an act relating to the duties of the state department of transportation by designating the department as the agent to receive and disburse federal funds.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 283, a bill for an act relating to the investment of cemetery perpetual care funds by cities.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 376, a bill for an act to allow the director of the state conservation commission to contract for the removal of rough fish.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 401, a bill for an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 438, a bill for an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant.

Also: That the Senate has on April 25, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 447, a bill for an act relating to pipelines by establishing construction standards for pipelines to protect soil conservation.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 2

H-4146

- 1 Amend House File 2 as amended, passed and reprinted
- 2 by the House as follows:
- 3 1. Page 1, line 8, by striking the word "three"
- 4 and inserting in lieu thereof the word "two".
- 5 2. Page 1, line 18, by striking the word "three"
- 6 and inserting in lieu thereof the word "two".
- 7 3. Striking page 1, line 30 through page 2, line
- 8 11.
- 9 4. Page 2, line 16, by striking the word "three"
- 10 and inserting in lieu thereof the word "two".
- 11 5. Page 2, line 30, by striking the word "three"
- 12 and inserting in lieu thereof the word "two".
- 13 6. Amend the title, lines 2 and 3, by striking
- 14 the words "and changing the maximum interest rates
- 15 that may be charged on such loans".

SENATE AMENDMENT TO
HOUSE FILE 450

H-4147

- 1 Amend House File 450 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, by striking line 1 and inserting in
4 lieu thereof the following:
5 "Section 1. Chapter three hundred twenty-seven
6 G (327G), Code 1979, is amended by adding the following
7 new section:
8 **NEW SECTION. MAINTENANCE OF IMPROVEMENTS ALONG**."
9 2. Page 1, line 9, by striking the word "land-
10 owner" and inserting in lieu thereof the word
11 "landowner."
12 3. Page 1, by striking line 10.
13 4. Page 1, by striking lines 26 through 30.

SENATE AMENDMENT TO
HOUSE FILE 650

H-4148

- 1 Amend House File 650, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. **NEW SECTION.** A city council, by
6 ordinance, or a county board of supervisors for the
7 unincorporated areas of the county, by resolution,
8 may provide for a partial exemption from property
9 taxation of the actual value added to industrial real
10 estate by the new construction of industrial real
11 estate and the acquisition of or improvement to
12 machinery and equipment assessed as real estate
13 pursuant to section four hundred twenty-seven A point
14 one (427A.1), subsection one (1), paragraph e, of
15 the Code, subject to the provisions of section six
16 (6) of this Act. New construction means new buildings
17 and structures and includes new buildings and
18 structures which are constructed as additions to
19 existing buildings and structures. New construction
20 does not include reconstruction of an existing building
21 or structure which does not constitute complete
22 replacement of an existing building or structure or
23 refitting of an existing building or structure, unless
24 the reconstruction of an existing building or structure
25 is required due to economic obsolescence and the
26 reconstruction is necessary to implement recognized
27 industry standards for the manufacturing and processing
28 of specific products and the reconstruction is required

29 for the owner of the building or structure to continue
30 to competitively manufacture or process those products
31 which determination shall receive prior approval from
32 the city council of the city or the board of
33 supervisors of a county granting the exemption. The
34 exemption shall also apply to new machinery and
35 equipment assessed as real estate pursuant to section
36 four hundred twenty-seven A point one (427A.1),
37 subsection one (1), paragraph e, of the Code unless
38 the machinery or equipment is part of the normal
39 replacement or operating process to maintain or expand
40 the existing operational status.

41 The ordinance or resolution may be enacted not
42 less than thirty days after holding a public hearing
43 in accordance with section three hundred fifty-eight
44 A point six (358A.6) of the Code in the case of a
45 county, or section three hundred sixty-two point three
46 (362.3) of the Code in the case of a city. The
47 ordinance or resolution shall designate the length
48 of time the partial exemption shall be available and
49 may provide for an exemption schedule in lieu of that
50 provided in section two (2) of this Act. However,

Page 2

1 an alternative exemption schedule adopted shall not
2 provide for a larger tax exemption in a particular
3 year than is provided for that year in the schedule
4 contained in section two (2) of this Act.

5 **Sec. 2. NEW SECTION.** The actual value added to
6 industrial real estate for the reasons specified in
7 section one (1) of this Act is eligible to receive
8 a partial exemption from taxation for a period of
9 five years. "Actual value added" as used in this
10 Act means the actual value added as determined by
11 the assessor as of the first year for which the
12 exemption is received, except that actual value added
13 by improvements to machinery and equipment means the
14 actual value as determined by the assessor as of
15 January first of each year for which the exemption
16 is received. The amount of actual value added which
17 is eligible to be exempt from taxation shall be as
18 follows:

- 19 a. For the first year, seventy-five percent.
- 20 b. For the second year, sixty percent.
- 21 c. For the third year, forty-five percent.
- 22 d. For the fourth year, thirty percent.
- 23 e. For the fifth year, fifteen percent.

24 This schedule shall be followed unless an
25 alternative schedule is adopted by the city council
26 of a city or the board of supervisors of a county

27 in accordance with section one (1) of this Act.

28 However, the granting of the exemption under this
29 section for new construction constituting complete
30 replacement of an existing building or structure shall
31 not result in the assessed value of the industrial
32 real estate being reduced below the assessed value
33 of the industrial real estate before the start of
34 the new construction added.

35 Sec. 3. NEW SECTION. An application shall be
36 filed for each project resulting in actual value added
37 for which an exemption is claimed. The application
38 for exemption shall be filed by the owner of the
39 property with the local assessor by February first
40 of the assessment year in which the value added is
41 first assessed for taxation. Applications for
42 exemption shall be made on forms prescribed by the
43 director of revenue and shall contain information
44 pertaining to the nature of the improvement, its cost,
45 and other information deemed necessary by the director
46 of revenue.

47 A person may submit a proposal to the city council
48 of the city or the board of supervisors of a county
49 to receive prior approval for eligibility for a tax
50 exemption on new construction. The city council,

Page 3

1 by ordinance, or the board of supervisors, by
2 resolution, may give its prior approval of a tax
3 exemption for new construction if the new construction
4 is in conformance with the zoning plans for the city
5 or county. The prior approval shall also be subject
6 to the hearing requirements of section one (1) of
7 this Act and the provisions of section six (6) of
8 this Act. Such prior approval shall not entitle the
9 owner to exemption from taxation until the new
10 construction has been completed and found to be
11 qualified real estate; however, if the tax exemption
12 for new construction is not approved, the person may
13 submit an amended proposal to the city council or
14 board of supervisors to approve or reject.

15 Sec. 4. NEW SECTION. When in the opinion of the
16 city council or the county board of supervisors
17 continuation of the exemption granted by this Act
18 ceases to be of benefit to the city or county, the
19 city council or the county board of supervisors may
20 repeal the ordinance authorized by section one (1)
21 of this Act, but all existing exemptions shall continue
22 until their expiration.

23 Sec. 5. NEW SECTION. A property tax exemption
24 under this Act shall not be granted if the property

25 for which the exemption is claimed has received any
 26 other property tax exemption authorized by law or
 27 an election has been held pursuant to section six
 28 (6) of this Act and the majority has rejected the
 29 exemption.

30 Sec. 6. NEW SECTION. However, upon the receipt
 31 of a petition, which was received no later than thirty
 32 days after the holding of the public hearing under
 33 section one (1) of this Act, signed by residents of
 34 the city or county equal in number to at least ten
 35 percent of the number of people who voted at the last
 36 city election, excluding the primary or runoff
 37 election, in the case of a city, or in the last general
 38 election of the county, in the case of a county, the
 39 city council of a city or the board of supervisors
 40 of a county shall submit the question of the exemption
 41 from property taxation to the eligible electors of
 42 the city or county and shall not enact the ordinance
 43 or resolution authorized by section one (1) of this
 44 Act until after the result of the election. The
 45 election shall be held within six months of the receipt
 46 of the petition at a regularly scheduled city or
 47 county general election or at a special election held
 48 for that purpose. If a majority of those voting on
 49 the question of granting a property tax exemption
 50 vote against the granting of the exemption, the city

Page 4

1 council of a city or the board of supervisors of a
 2 county shall not grant the exemption."

SENATE AMENDMENT TO
 HOUSE FILE 670

H-4149

1 Amend House File 670 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 2, line 24, by inserting after the word
 4 "surface" the word "coal".
 5 2. Page 3, line 10, by striking the words "or
 6 an underground coal mining operation".
 7 3. Page 4, line 32, by striking the words "coal
 8 mining operation" and inserting in lieu thereof the
 9 words "a coal mining operator".
 10 4. Page 9, by striking lines 22 through 27 and
 11 inserting in lieu thereof the following:
 12 "2. The requirements of this section do not apply
 13 to lands on which coal mining operations are being
 14 conducted as of August 3, 1977, or under a permit
 15 issued pursuant to this Act or pursuant to section

16 eighty-three A point twelve (83A.12) of the 1979 Code
 17 or where substantial legal and financial commitments
 18 in an operation were in existence prior to January
 19 4, 1977."

20 5. Page 10, line 19, by inserting after the word
 21 "system," the words "the national wildlife refuge
 22 systems,".

23 6. Page 10, line 31, by striking the word "on"
 24 and inserting in lieu thereof the word "or".

25 7. Page 12, line 28, by inserting after the word
 26 "department" the words "after an opportunity for a
 27 hearing".

28 8. Page 13, line 15, by inserting after the word
 29 "permit" the words "as a contested case under chapter
 30 seventeen A (17A) of the Code".

31 9. Page 14, by striking lines 10 through 12 and
 32 inserting in lieu thereof the following:

33 "5. If the license to do business".

34 10. Page 16, line 27, by striking the word
 35 "operations" and inserting in lieu thereof the word
 36 "operation".

37 11. Page 18, line 1, by striking the word "if"
 38 and inserting in lieu thereof the word "is".

39 12. Page 18, line 8, by inserting after the word
 40 "exists" the words "or has existed".

41 13. Page 19, by inserting after line 13 the
 42 following:

43 "7. A permittee issued a notice or order under
 44 this section or any person having an interest which
 45 is or may be adversely affected by the notice or order
 46 or by its modification, vacation or termination may
 47 apply to the committee for review within thirty days
 48 of receipt of the notice or order or within thirty
 49 days of its modification, vacation or termination,
 50 The review shall be treated as a contested case under

Page 2

1 chapter seventeen A (17A) of the Code. Pending
 2 completion of any investigation or hearings required
 3 by this section, the applicant may file with the
 4 department a written request that the director grant
 5 temporary relief from any notice or order issued under
 6 this section together with a detailed statement giving
 7 reasons for granting such relief. The director shall
 8 issue an order or decision granting or denying the
 9 request for relief within five days of its receipt.
 10 The director may grant such relief under such
 11 conditions as the director may prescribe if all of
 12 the following occur:

13 a. A hearing has been held in the locality of
 14 the permit area on the request for temporary relief

15 in which all parties were given an opportunity to
16 be heard.

17 b. The applicant shows that there is substantial
18 likelihood that the findings of the committee will
19 be favorable to him or her.

20 c. Such relief will not adversely affect the
21 health or safety of the public or cause significant,
22 imminent environmental harm to land, air or water
23 resources."

24 14. Page 19, by striking line 28 and inserting
25 in lieu thereof the following: "injunctive relief
26 and fine. If any violations result in the issuance
27 of a cessation order under section fourteen (14) of
28 this Act, the committee shall request the attorney
29 general to institute a civil action in the district
30 court for the assessment of a civil penalty as
31 determined by the court not to exceed five thousand
32 dollars per day for each day of the violation."

33 15. Page 20, by inserting after line 31 the
34 following:

35 "5. An employee of the department performing any
36 function or duty under this Act who knowingly and
37 willfully has a direct or indirect financial interest
38 in any coal mining operation shall be guilty of a
39 serious misdemeanor and notwithstanding section nine
40 hundred three point one (903.1) of the Code the maximum
41 fine shall be two thousand five hundred dollars."

42 16. Page 22, line 13, by inserting after the word
43 "county" the words "or the county of the petitioner's
44 residence".

45 17. Page 23, line 3, by inserting after the word
46 "relief." the following: "The availability of judicial
47 review of the actions of the department shall not
48 restrict any rights established by this section."

49 18. Page 24, by inserting after line 17 the
50 following:

Page 3

1 "In order to protect the stability of the land,
2 the department shall suspend underground coal mining
3 under urbanized areas, cities, towns, and communities
4 and adjacent to industrial or commercial buildings,
5 major impoundments, or permanent streams if the
6 director finds imminent danger to inhabitants of the
7 urbanized areas, cities, towns, and communities."

8 19. Page 26, by inserting after line 15 the
9 following:

10 "5. The department in participating in the
11 abandoned mine reclamation program under title IV
12 of Pub. L. 95-87 shall have the following additional
13 powers:

- 14 a. To engage in any work and to do all things
 15 necessary or expedient, including promulgation of
 16 rules, to implement and administer the provisions
 17 of this program.
- 18 b. To engage in cooperative projects with any
 19 other governmental unit provided that such cooperative
 20 projects shall be under a cooperative agreement
 21 conducted according to the provisions of chapter
 22 twenty-eight E (28E) of the Code.
- 23 c. To request the attorney general to seek
 24 injunctive relief to restrain any interference with
 25 the exercise of the right to enter or to conduct work
 26 under this program.
- 27 d. To construct and operate a plant or plants
 28 for the control and treatment of water pollution
 29 resulting from mine drainage. The extent of this
 30 control and treatment may be dependent upon the
 31 ultimate use of the water. The construction of a
 32 plant or plants may include major interceptors and
 33 other facilities appurtenant to the plant."
- 34 20. By renumbering the sections and subsections
 35 and relettering the paragraphs to conform with this
 36 amendment.

SENATE AMENDMENT TO
 HOUSE FILE 672

H-4150

- 1 Amend House File 672 as follows:
- 2 1. Page 1, by adding before line 1 the following:
- 3 "Section 1. Section three hundred fifty-nine point
 4 forty-two (359.42), Code 1979, is amended to read
 5 as follows:
- 6 359.42 TOWNSHIP FIRE PROTECTION AND AMBULANCE
 7 SERVICE. The trustees of each township in this state
 8 shall provide fire protection for the township,
 9 exclusive of any part of the township within a
 10 benefited fire district and, in counties not providing
 11 ambulance services under section three hundred thirty-
 12 two point three (332.3), subsection twenty-three (23)
 13 of the Code, may provide ambulance service. The
 14 trustees may purchase, own, rent or maintain fire
 15 protection or ambulance apparatus or equipment and
 16 provide housing for such the equipment. The trustees
 17 may contract with any public or private agency under
 18 chapter 28E for the purpose of providing fire
 19 protection or ambulance service under this section.
- 20 Sec. 2. Section three hundred fifty-nine point
 21 forty-three (359.43), Code 1979, is amended to read
 22 as follows:
- 23 359.43 TAX LEVY.

24 1. The township trustees may levy an annual tax
 25 not exceeding forty and one-half cents per thousand
 26 dollars of assessed value of the taxable property
 27 in the township, excluding any property within a
 28 benefited fire district or within the corporate limits
 29 of a city, for the purpose of exercising the powers
 30 granted in section 359.42. However, in any township
 31 having a fire protection or ambulance service agreement
 32 with a special charter city having a paid fire
 33 department, the township trustees may levy an annual
 34 tax not exceeding fifty-four cents per thousand dollars
 35 of the assessed value of the taxable property for
 36 such purpose those purposes and in any township which
 37 has a common boundary with a city having a population
 38 of two hundred thousand or more, the township trustees
 39 may levy an annual tax not exceeding sixty-seven and
 40 one-half cents per thousand dollars of assessed value
 41 of taxable property for fire protection or ambulance
 42 service purposes.

43 2. If the levy authorized under subsection one
 44 of this section is insufficient to provide fire
 45 protection and ambulance service, the township trustees
 46 may levy an additional annual tax not exceeding twenty
 47 and one-fourth cents per thousand dollars of assessed
 48 value of the taxable property in the township, ex-
 49 cluding any property within the corporate limits of
 50 a city, to provide the ambulance service. The township

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1 trustees may divide the township into districts for
 2 the purpose of providing the ambulance and fire service
 3 and may levy a different tax rate in each district,
 4 but the tax levy to provide ambulance service shall
 5 not exceed twenty and one-fourth cents per thousand
 6 dollars of taxable assessed value in a district."

7 2. Renumber the remaining section.
 8 3. Amend the title, line 1, by inserting after
 9 the word "authorizing" the words "ambulance service
 10 by townships and authorizing".

**SENATE AMENDMENT TO
 HOUSE FILE 680**

H-4145

1 Amend House File 680 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, by striking line 11 through page 2,
 4 line 6, and inserting in lieu thereof the following:
 5 "Sec. 3. Section ninety-seven B point forty-five
 6 (97B.45), unnumbered paragraphs two (2) and three

7 (3), Code 1979, is amended by striking those unnumbered
8 paragraphs and inserting in lieu thereof the following:
9 An employer may adopt rules which require retirement
10 at the age of seventy or older.

11 Sec. 4. Section ninety-seven B point forty-six
12 (97B.46), Code 1979, is amended to read as follows:
13 97B.46 SERVICE AFTER AGE SIXTY-FIVE. A member,
14 ~~except a peace officer or firefighter, may, on the~~
15 ~~request of the employer, remain in the active employ~~
16 ~~of the employer beyond the date the member attains~~
17 ~~the age of sixty-five until attaining the age of~~
18 ~~seventy, and may remain in service after attaining~~
19 ~~the age of seventy for such period or periods as the~~
20 ~~employer from time to time shall approve, based on~~
21 ~~the ability of the member to perform the job provided,~~
22 ~~however, that credit for such service shall cease~~
23 ~~when contributions cease as provided in section 97B.11,~~
24 ~~and the member shall retire on the first day of the~~
25 ~~month following the last approved period. The member~~
26 ~~shall retire at the end of the last approved period,~~
27 ~~on the first day of the month in which the member~~
28 ~~retires, except that such date shall be after the~~
29 ~~last day of service. A member remaining in service~~
30 ~~after attaining the age of seventy years shall be~~
31 ~~entitled to receive a retirement allowance under~~
32 ~~section 97B.49 as applicable commencing with payment~~
33 ~~for the calendar month within which the written notice~~
34 ~~is submitted to the department, except that if the~~
35 ~~member fails to submit the notice on a timely basis,~~
36 ~~retroactive payments shall be made for no more than~~
37 ~~six months immediately preceding the month in which~~
38 ~~the written notice is submitted."~~

39 2. Page 2, by inserting after line 23 the
40 following:

41 "Sec. 7. Section one hundred seven point thir-
42 teen (107.13), Code 1979, is amended to read as
43 follows:

44 107.13 OFFICERS AND EMPLOYEES. The director
45 shall, with the consent of the commission, employ
46 the number of assistants, including a professionally
47 trained state forester, that are necessary to carry
48 out the duties imposed on the commission; and, under
49 the same conditions, the director shall appoint the
50 number of officers and supervisory personnel that

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1 are necessary to enforce the laws and rules and
2 regulations, the enforcement of which are imposed
3 on the commission. The officers and supervisory
4 personnel shall have the same powers that are conferred

5 by law on peace officers in the enforcement of the
 6 laws of the state of Iowa and the apprehension of
 7 violators. Any person appointed as a full-time officer
 8 shall be at least ~~twenty-two~~ twenty-one years of age,
 9 but not more than ~~thirty-one~~ sixty-five years of age,
 10 on the date of his appointment. Officer means any
 11 person appointed by the state conservation commission
 12 to enforce the laws of this state under the
 13 jurisdiction of the commission.”
 14 3. Page 3, line 18, by striking the words
 15 “temporary disability or”.
 16 4. By renumbering the sections to conform with
 17 this amendment.

CONSIDERATION OF BILLS
Appropriations Calendar

Senate File 487, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons, with report of committee recommending passage was taken up for consideration.

Cusack of Scott offered the following amendment H – 4132 filed by Cusack, et al., and moved its adoption:

H – 4132

1 Amend Senate File 487, as passed by the Senate
 2 and reprinted, as follows:
 3 1. Page 1, by striking line 24 and inserting
 4 in lieu thereof the following:
 5 “state.....\$210,000 \$210,000”

Roll call was requested by Cusack of Scott and Bina of Scott.

On the question “Shall amendment H – 4132 be adopted?”

The ayes were, 40:

- | | | | |
|--------------|-----------------|-------------|-----------|
| Anderson, R. | Arnould | Avenson | Bina |
| Binneboese | Brandt | Bruner | Byerly |
| Chiodo | Cochran | Connolly | Cusack |
| Davitt | Dieleman | Gettings | Groth |
| Hall | Halvorson, R.N. | Hibbs | Hinkhouse |
| Horn | Howell | Hullinger | Husak |
| Jay | Jochum | Lloyd-Jones | Lonergan |
| Miller | Norland | O’Kane | Oxley |

Pavich Spear	Perkins Walter	Rapp Wells	Sherzan Woods
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The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lorenzen	Lura	Maulsby	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker		

Absent or not voting, 10:

Connors	Doyle	Hansen, I.	Jesse
Lind	McKean	Patchett	Smalley
Stromer	Welsh		

Amendment H — 4132 lost.

Cusack of Scott offered the following amendment H — 4131 filed by Cusack, et al., and moved its adoption:

H—4131

- 1 Amend Senate File 487, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 1, by inserting after line 24, the
- 4 following:
- 5 "5. For the Older
- 6 Iowans Model Legislature.....\$15,690 \$15,690"

Roll call was requested by Cusack of Scott and Sherzan of Polk.

On the question "Shall amendment H — 4131 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings

Groth	Halvorson, R.N.	Hinkhouse	Hoffmann
Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonerган
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Walter
Wells	Woods		

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 7:

Doyle	Harbor	Hullinger	Patchett
Pelton	Smalley	Welsh	

Amendment H—4131 lost.

Husak of Tama offered amendment H—4136 filed by Husak, et al., and requested division as follows:

H—4136

- 1 Amend Senate File 487, as passed by the Senate
- 2 and reprinted, as follows:

H—4136A

- 3 1. Page 3, line 8, by striking the figures
- 4 "198,411" and "193,442" and inserting in lieu thereof
- 5 the figures "202,076" and "197,830" respectively.

H—4136B

- 6 2. Page 3, line 17, by striking the figures
- 7 "371,421" and "370,991" and inserting in lieu thereof
- 8 the figures "402,194" and "396,326" respectively.

H—4136C

- 9 3. Page 3, line 26, by striking the figures
 10 "247,000" and "247,000" and inserting in lieu thereof
 11 the figures "252,869" and "250,020" respectively.

Husak of Tama moved the adoption of amendment H—4136A.

A non-record roll call was requested.

The ayes were 39, nays 50.

Amendment H—4136A lost.

Husak of Tama moved the adoption of amendment H—4136B.

Roll call was requested by Husak of Tama and Binneboese of Plymouth.

On the question "Shall amendment H—4136B be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Evans	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Krewson
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Stromer
Walter	Wells	Woods	

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzo	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull

Smalley
Tyrrell

Swearingen
Van Maanen

Thompson
Welden

Tofte
Mr. Speaker

Absent or not voting, 5:

Chiodo
West

Doyle

Oxley

Welsh

Amendment H—4136B lost.

Husak of Tama asked and received unanimous consent to withdraw amendment H—4136C.

Krewson of Polk offered the following amendment H—4144 filed by Krewson, et al. :

H—4144

1 Amend Senate File 487, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 4, by inserting after line 25 the following
4 unnumbered paragraph:
5 "The appropriation contained in paragraph a of
6 this subsection is contingent upon the promulgation
7 by the commissioner of public health of administrative
8 rules permitting and governing the distribution and
9 use of marijuana for medicinal purposes. The
10 commissioner shall cooperate with other state and
11 federal agencies to ensure an adequate supply of
12 marijuana for this purpose. The commissioner shall
13 not authorize the growing of marijuana within the
14 state."
15 2. Page 12, by inserting after line 21 the
16 following new sections:
17 "Sec. . Section two hundred four point two
18 hundred four (204.204), subsection four (4), paragraphs
19 j and q, Code 1979, are amended to read as follows:
20 j. Marijuana, except as otherwise provided by
21 rules of the state department of health for medicinal
22 purposes.
23 q. Tetrahydrocannabinols, except as otherwise
24 provided by rules of the state department of health
25 for medicinal purposes.
26 Sec. . Section two hundred four point two
27 hundred four (204.204), Code 1979, is amended by
28 adding the following new subsection:
29 NEW SUBSECTION. This section does not apply to
30 marijuana, tetrahydrocannabinols or chemical
31 derivatives of tetrahydrocannabinol when utilized
32 for medicinal purposes pursuant to rules of the state

33 department of health.
 34 Sec. Section two hundred four point two
 35 hundred six (204.206), Code 1979, is amended by adding
 36 the following new subsection:
 37 **NEW SUBSECTION.** Marijuana, tetrahydrocannabinol
 38 and chemical derivatives of tetrahydrocannabinol shall
 39 be deemed to be schedule two (II) substances, but
 40 only when used for medicinal purposes pursuant to
 41 rules of the state department of health."
 42 3. By renumbering sections as necessary pursuant
 43 to this amendment.

Danker of Pottawattamie rose on a point of order that amend-
 ment H-4144 was not germane.

The Speaker ruled the point well taken and amendment
 H-4144 not germane.

Krewson of Polk moved that the rules be suspended for the con-
 sideration of amendment H-4144.

Roll call was requested by Danker of Pottawattamie and Crabb
 of Crawford.

On the question "Shall the rules be suspended for the considera-
 tion of amendment H-4144?"

The ayes were, 55:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Cochran	Connolly	Connors
Corey	Cusack	Davitt	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hibbs	Horn	Howell
Hullinger	Hummel	Jay	Jesse
Jochum	Kirkenslager	Krewson	Larsen
Lloyd-Jones	Lonergan	Lorenzen	McKean
Miller	Mullins	Norland	O'Kane
Patchett	Pavich	Perkins	Poffenberger
Pope	Rapp	Ritsema	Sherzan
Shimanek	Spear	Thompson	Walter
Wells	Welsh	Woods	

The nays were, 42:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Crabb	Crawford	Daggett

Danker	De Groot	Dieleman	Diemer
Halvorson, R.A.	Hansen, I.	Harbor	Hinkhouse
Hoffmann	Holt	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Lind
Lura	Maulsby	Menke	Oxley
Pellett	Pelton	Schnekloth	Schroeder
Shull	Smalley	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Chiodo	Doyle	Evans
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The motion prevailed and the rules were suspended.

Division of amendment H—4144 was requested, lines 3 through 14 to be amendment H—4144A; lines 15 through 43 to be amendment H—4144B.

Krewson of Polk moved the adoption of amendment H—4144A.

Roll call was requested by Schnekloth of Scott and De Groot of Lyon.

On the question "Shall amendment H—4144A be adopted?"

The ayes were, 56:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Crawford	Cusack
Davitt	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Horn	Howell	Jay	Jesse
Jochum	Johnson, R.	Kirkenslager	Krewson
Larsen	Lloyd-Jones	Loneragan	Lorenzen
Lura	McKean	Miller	Mullins
O'Kane	Patchett	Pavich	Perkins
Poffenberger	Pope	Rapp	Ritsema
Shimanek	Shull	Spear	Thompson
Walter	Wells	Welsh	Woods

The nays were, 42:

Anderson, J.	Bennett	Branstad	Chiodo
Corey	Crabb	Daggett	Danker
De Groot	Dieleman	Diemer	Evans

Halvorson, R.A.	Hansen, I.	Harbor	Hinkhouse
Hoffmann	Holt	Hullinger	Hummel
Husak	Johnson, J.	Johnson, W.	Lageschulte
Lind	Maulsby	Menke	Oxley
Pellett	Pelton	Schneklath	Schroeder
Sherzan	Smalley	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Doyle Norland

Amendment H—4144A was adopted.

(Action on Senate File 487 and amendment H—4144B temporarily deferred.)

ADOPTION OF HOUSE RESOLUTION 36

Jay of Appanoose asked and received unanimous consent for the immediate consideration of House Resolution 36 as follows, filed from the floor, and moved its adoption:

HOUSE RESOLUTION 36

By Jay, Wells, Hanson of Delaware, Ritsema,
and Halvorson of Webster

1 *Whereas*, the Iowa Cornets, members of the Women's
2 Professional Basketball League, are the Midwest Division
3 Champions of the WBL; and
4 *Whereas*, the Iowa Cornets will face the Houston Angels
5 in the fifth and final game of the playoffs for the
6 championship of the Women's Professional Basketball League
7 on Tuesday, May 1, 1979; and
8 *Whereas*, the Iowa Cornets have provided a new point of
9 pride for the citizens of Iowa; and
10 *Whereas*, the Iowa Cornets have provided the citizens of
11 Iowa with many thrills during the past season, including a
12 league single game scoring record of 54 points by Molly
13 Bolin; and
14 *Whereas*, all the state of Iowa is proud of the Iowa
15 Cornets and their accomplishments in bringing further
16 credit and acclaim to the state of Iowa throughout the
17 entire nation; *Now Therefore*,
18 *Be It Resolved by the House of Representatives of*
19 *the Sixty-eighth General Assembly, first regular session,*
20 *that the members commend the Iowa Cornets for their*
21 *outstanding season; and*

22 *Be It Further Resolved*, that the members of the
23 House of Representatives of the Sixty-eighth General
24 Assembly, first regular session, wish to extend their full
25 support and backing to the Iowa Cornets in the final game
26 of the playoffs for the championship of the Women's
27 Professional Basketball League on May 1, 1979; and
28 *Be It Further Resolved*, that a copy of this resolution
29 be wired immediately to Coach Dan Moulton and the Iowa Cornets
30 basketball team.

The motion prevailed and the resolution was adopted.

On motion by Halvorson of Clayton the House was recessed at 12:17 p.m. until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

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 on April 24, 1979, passed the following billing in which the concurrence of the House is asked:

Senate File 493, a bill for an act relating to membership in the Iowa state association of counties.

FRANK J. STORK, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott on request of Walter of Pottawattamie; Norland of Worth on request of Rapp of Black Hawk; Branstad of Winnebago on request of Lorenzen of Scott, all for the afternoon session.

QUORUM CALL

Roll call was requested by Dieleman of Marion and De Groot of Lyon to determine that a quorum was present.

Present, 87:

Anderson, J.	Arnould	Bennett	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lura	Maulsby	Menke
Miller	Mullins	O'Kane	Oxley
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

Absent, 13:

Anderson, R.	Avenson	Bina	Branstad
Chiodo	Connors	Doyle	Holt
Lorenzen	McKean	Norland	Patchett
Woods			

BUSINESS PENDING

The House resumed consideration of **Senate File 487**, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons, and amendment H—4144B filed by Krewson, et al.

Krewson of Polk moved the adoption of amendment H—4144B.

Roll call was requested by Schnekloth of Scott and Pelton of Clinton.

On the question "Shall amendment H—4144B be adopted?"

The ayes were, 54:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Crawford	Cusack	Davitt
Egenes	Gettings	Groth	Hall
Halvorson, R.N.	Hanson, D.	Hibbs	Horn
Howell	Hullinger	Jay	Jesse
Jochum	Johnson, R.	Kirkenslager	Krewson
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	McKean	Miller	Mullins
O'Kane	Pavich	Poffenberger	Pope
Rapp	Ritsema	Sherzan	Shimanek
Shull	Spear	Thompson	Walter
Wells	Welsh		

The nays were, 37:

Bennett	Corey	Crabb	Daggett
Danker	De Groot	Dieleman	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hinkhouse	Hoffmann	Holt	Hummel
Husak	Johnson, J.	Johnson, W.	Lageschulte
Lind	Maulsby	Menke	Oxley
Pellett	Pelton	Schnekloth	Schroeder
Smalley	Stromer	Swearingen	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 9:

Anderson, J.	Bina	Branstad	Chiodo
Doyle	Norland	Patchett	Perkins
Woods			

Amendment H—4144B was adopted.

Kirkenslager of Des Moines offered the following amendment H—4151 filed from the floor by Kirkenslager, Walter, Tyrrell, Corey, Dieleman, Hanson of Delaware and Johnson of Linn:

H—4151

- 1 Amend Senate File 487 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 5, by striking line 7 and inserting in
- 4 lieu thereof the following:
- 5 "laneous purposes..... \$80,988 \$80,994".
- 6 2. Page 5, by inserting after line 7 the following:

7 "From the funds
8 appropriated in para-
9 graph c of this sub-
10 section not more than
11 eight thousand eight
12 hundred twenty-one
13 dollars shall be used
14 in each fiscal year for
15 the publication of the
16 magazine Iowa's Health
17 which shall not be
18 published more than
19 twice annually."

Spear of Lee asked and received unanimous consent to withdraw amendment H-4158, to amendment H-4151, filed by him from the floor.

Spear of Lee offered the following amendment H-4163, to amendment H-4151, filed by him from the floor and moved its adoption:

H-4163

- 1 Amend amendment H-4151, to Senate File 487 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 19, by inserting after the
- 5 word "annually" the words "and which shall include
- 6 no editorial comment on current public issues
- 7 which are or may reasonably be expected to be before
- 8 the general assembly for determination."

Amendment H-4163 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Welden of Hardin for the remainder of the day on request of Hansen of O'Brien.

Kirkenslager of Des Moines moved the adoption of amendment H-4151.

A non-record roll call was requested.

The ayes were 44, nays 46.

Amendment H—4151 lost.

Bennett of Ida 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. 487)

The ayes were, 69:

Anderson, R.	Arnould	Bennett	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Davitt	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Hummel
Jay	Jesse	Jochum	Johnson, R.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Lorenzen	Lura
McKean	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimanek
Shull	Spear	Stromer	Thompson
Walter	Wells	Welsh	West
Woods			

The nays were, 24:

Anderson, J.	Chiodo	Crabb	Daggett
Danker	De Groot	Dieleman	Hansen, I.
Harbor	Hoffmann	Holt	Husak
Johnson, J.	Johnson, W.	Lind	Maulsby
Menke	Schnekloth	Smalley	Swearingen
Tofte	Tyrrell	Van Maanen	Mr. Speaker

Absent or not voting, 7:

Avenson	Bina	Branstad	Doyle
Norland	Patchett	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 487)

Bennett of Ida asked and received unanimous consent to immediately message Senate File 487 to the Senate.

WAYS AND MEANS CALENDAR

House File 741, a bill for an act to exempt from the real estate transfer tax certain deeds between family corporations or authorized farm corporations and their stockholders, was taken up for consideration.

Corey of Louisa asked and received unanimous consent to temporarily defer action on House File 741.

SENATE FILE 405 SUBSTITUTED FOR HOUSE FILE 675.

Lura of Marshall asked and received unanimous consent to substitute Senate File 405 for House File 675.

Senate File 405, a bill for an act to repeal the requirement that assessors file an annual agricultural land valuation report with the department of revenue, was taken up for consideration.

Lura of Marshall 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. 405)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear

Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Bina	Branstad	Corey	Doyle
Jesse	Norland	Patchett	Welden
Wells			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 675 WITHDRAWN

Lura of Marshall asked and received unanimous consent to withdraw House File 675 from further consideration by the House.

The House resumed consideration of **House File 741**, a bill for an act to exempt from the real estate transfer tax certain deeds between family corporations or authorized farm corporations and their stockholders.

Corey of Louisa offered the following amendment H—4162 filed by Corey, Harbor, Hinkhouse, Schroeder and Miller from the floor:

H—4162

- 1 Amend House File 741 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section four hundred twenty-three
- 5 point four (423.4), Code 1979, is amended by adding
- 6 the following new subsection:
- 7 **NEW SUBSECTION.** Vehicles subject to registration
- 8 which are transferred from a business conducted
- 9 within this state as a sole proprietorship or
- 10 partnership to a corporation formed by the sole
- 11 proprietorship or partnership for the purpose of
- 12 continuing the business of the sole proprietorship
- 13 or partnership as a corporation when all of the
- 14 stock of the corporation so formed is owned by the
- 15 sole proprietor and the sole proprietor's spouse or
- 16 by all partners in the case of a partnership."

Anderson of Jasper rose on a point of order that amendment H—4162 was not germane.

The Speaker ruled the point well taken and amendment H—4162 not germane.

Corey of Louisa asked for unanimous consent to take up for consideration amendment H—4162.

Objection was raised.

Corey of Louisa moved that the rules be suspended for the consideration of amendment H—4162.

A non-record roll call was requested.

The ayes were 15, nays 59.

The motion lost.

Hanson of Delaware 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. 741)

The ayes were, 93:

Anderson, J.	Andersqn, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson

Tofte
Wells
Mr. Speaker

Tyrrell
Welsh

Van Maanen
West

Walter
Woods

The nays were, none.

Absent or not voting, 7:

Bina
Norland

Branstad
Patchett

Doyle
Welden

Jesse

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Binneboese of Plymouth on request of Hinkhouse of Cedar; Tofte of Winneshiek on request of Stromer of Hancock, both for the remainder of the day.

SENATE AMENDMENT CONSIDERED

Johnson of Howard called up for consideration **House File 687**, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, amended by the Senate amendment H-4141, received from the Senate on April 26 and found on pages 1845 through 1851 of the House Journal.

Lloyd-Jones of Johnson offered the following amendment H-4164, to the Senate amendment H-4141, filed by her from the floor and moved its adoption:

H-4164

- 1 Amend the Senate amendment, H-4141, to House File
- 2 687 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 7 the following:
- 5 "NEW SUBSECTION. "Constituent" means a person
- 6 represented and served by the elected official or
- 7 local official."
- 8 2. Page 1, by inserting after line 38 the
- 9 following:

10 "i. A cup of coffee.

11 j. Food or beverage provided to an elected official
12 or local official by a constituent at a political
13 function and consumed on the premises if the official
14 or local official is not receiving actual and necessary
15 expenses from the employing government."

16 3. Page 1, by striking line 42 through page 2,
17 line 36, and inserting in lieu thereof the following:

18 "Sec. 7. Section sixty-eight B point five (68B.5),
19 Code 1979, is amended by striking the section and
20 inserting in lieu thereof the following:

21 68B.5 GIFTS PROHIBITED. An official, employee,
22 local official, local employee, member of the general
23 assembly or legislative employee shall not solicit
24 or accept a gift. A person shall not offer or give
25 a gift to an official, employee, local official, local
26 employee, member of the general assembly or legislative
27 employee."

28 4. By renumbering the sections and cross references
29 to conform with this amendment.

Amendment H—4164 lost.

Pelton of Clinton offered amendment H—4155, to the Senate amendment H—4141, filed by him from the floor and requested division as follows:

H—4155

1 Amend the Senate amendment H—4141, to House File 687, as amended,
2 passed and reprinted by the House as follows:

H—4155A

3 1. Page 1, by striking lines 14 through 18.

H—4155B

4 2. Page 1, by striking line 45 through page 2
5 line 20, and inserting in lieu thereof the following:

6 "1. Any person who renders a benefit which has
7 a fair market value in excess of ten dollars to a
8 state or local official or employee shall file a
9 report monthly with the secretary of state describ-
10 ing the nature, value, date, and donee of any such
11 benefit.

12 2. The secretary of state shall develop and
13 make available a standard form for the filing of
14 reports under this section. A fee of twenty-five
15 cents shall accompany each report filed."

H-4155C

- 16 3. Page 2, line 26, by striking the word "gift"
17 and inserting in lieu thereof the words "gift benefit".

Speaker pro tempore Harbor of Mills in the chair at 3:58 p.m.

Pelton of Clinton moved the adoption of amendment H-4155A, to the Senate amendment H-4141.

A non-record roll call was requested.

The ayes were 35, nays 50.

Amendment H-4155A lost.

Pelton of Clinton asked for unanimous consent to take up for consideration amendment H-4155B.

Objection was raised.

Halvorson of Clayton offered the following amendment H-4157, to the Senate amendment, filed by him and Avenson of Fayette from the floor:

H-4157

- 1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by striking line 42 through page 2,
5 line 36 and inserting in lieu thereof the following:
6 "Sec. 7. Section sixty-eight B point five (68B.5),
7 Code 1979, is amended by striking the section and
8 inserting in lieu thereof the following:
9 68B.5 GIFTS PROHIBITED AND REPORTED.
10 1. An official, employee, local official, local
11 employee, member of the general assembly or legislative
12 employee shall not accept a gift exceeding twenty-
13 five dollars in value in any one instance or one
14 hundred dollars in value from any one source during
15 a calendar year.
16 2. A person who gives an official, employee, local
17 official, local employee, member of the general
18 assembly or legislative employee a gift exceeding
19 fifteen dollars in value shall file a statement
20 containing the nature, value and date of the gift

21 and the name of the recipient within thirty days with
22 the following officers:

23 a. For a gift to a local official or employee,
24 with the county auditor of the county containing the
25 business office of the political subdivision served
26 by the local official or employee.

27 b. For a gift to a member of the general assembly
28 or legislative employee, the chief administrative
29 officer of the house of the member or legislative
30 employee. For a gift to a legislative employee of
31 both houses, the secretary of the senate.

32 c. For a gift to an official or employee, the
33 secretary of state for members of the executive
34 department and the supreme court administrator for
35 members of the judicial department."

36 2. By renumbering the sections and cross references
37 to conform with this amendment.

Jesse of Polk offered the following amendment H-4176, to amendment H-4157, (to the Senate amendment H-4141) filed by Jesse, Lind, Byerly, Crabb, Harbor, Connors, West, Chiodo, Hansen of O'Brien, Husak, Stromer and Woods from the floor and moved its adoption:

H-4176

- 1 Amend House amendment H-4157 to Senate amendment,
- 2 H-4141, to House File 687 as amended and reprinted by
- 3 the House as follows:
- 4 1. Page 1, by striking line 5 through 35 and
- 5 inserting in lieu thereof the words "line 20."

A non-record roll call was requested.

The ayes were 53, nays 35.

Amendment H-4176 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Millen of Van Buren for the remainder of the day on request of Harbor of Mills.

Halvorson of Clayton moved the adoption of amendment H-4157, as amended, to the Senate amendment H-4141.

Roll call was requested by Lageschulte of Bremer and Lorenzen of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—4157 be adopted?"

The ayes were, 47:

Bennett	Byerly	Chiodo	Clark, J.H.
Cochran	Connors	Corey	Crabb
Daggett	Danker	Davitt	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Hummel	Husak	Jay	Jesse
Johnson, J.	Johnson, R.	Lind	Loneragan
Miller	Oxley	Pavich	Pellett
Perkins	Rapp	Schroeder	Shull
Stromer	Swearingen	Thompson	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker (Harbor)	

The nays were, 43:

Anderson, J.	Anderson, R.	Arnould	Avenson
Brandt	Bruner	Clark, B.J.	Conlon
Connolly	Crawford	Cusack	De Groot
Dieleman	Evans	Grøth	Hall
Halvorson, R.N.	Hanson, D.	Hibbs	Howell
Jochum	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	O'Kane	Pelton	Poffenberger
Pope	Ritsema	Schneklloth	Sherzan
Shimanek	Smalley	Spear	

Absent or not voting, 10:

Bina	Binneboese	Branstad	Doyle
Gettings	Millen	Norland	Patchett
Tofte	Welden		

Amendment H—4157, as amended, was adopted placing out of order amendment H—4155B.

Pelton of Clinton asked and received unanimous consent to withdraw amendment H—4155C.

Poffenberger of Dallas offered the following amendment H—4156, to the Senate amendment H—4141, filed from the floor by Poffenberger, Lageschulte, Krewson, Anderson of Audubon, Arnould and Pelton and moved its adoption:

H—4156

- 1 Amend the Senate amendment, H—4141, to House
- 2 File 687 as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 2, by striking line 27, and inserting
- 5 in lieu thereof the following: "of twenty-five
- 6 dollars or more whether in the form of ten dollars
- 7 per occurrence and twenty-five dollars per year
- 8 from any one source whether in the form".
- 9 2. Page 2, by striking line 33 and inserting
- 10 in lieu thereof the following: "has a value in
- 11 excess of twenty-five dollars has a value in excess
- 12 of ten dollars per occurrence and twenty-five dollars
- 13 per year from any one source. Nothing".

Roll call was requested by Poffenberger of Dallas and Hibbs of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H—4156, to the Senate amendment H—4141, be adopted?"

The ayes were, 32:

Anderson, J.	Arnould	Brandt	Bruner
Conlon	Crawford	Cusack	De Groot
Egenes	Evans	Groth	Halvorson, R.N.
Hanson, D.	Hibbs	Krewson,	Lageschulte
Larsen	Lloyd-Jones	Lura	McKean
Menke	Mullins	O'Kane	Oxley
Pelton	Poffenberger	Rapp	Ritsema
Shimanek	Smalley	Spear	Welsh

The nays were, 56:

Avenson	Bennett	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Corey	Crabb	Daggett
Danker	Davitt	Dieleman	Diemer
Hall	Halvorson, R.A.	Hansen, I.	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jesse

Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lind	Loneragan	Lorenzen
Maulsby	Miller	Pavich	Pellett
Perkins	Pope	Schnekloth	Schroeder
Sherzan	Shull	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Walter
Wells	West	Woods	Mr. Speaker (Harbor)

Absent or not voting, 12:

Anderson, R.	Bina	Binneboese	Branstad
Doyle	Gettings	Jay	Millen
Norland	Patchett	Tofte	Welden

Amendment H—4156 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien for the remainder of the day on request of Halvorson of Clayton.

Lura of Marshall asked and received unanimous consent to withdraw amendment H—4161, to the Senate amendment H—4141, filed by him from the floor.

Lura of Marshall offered the following amendment H—4143, to the Senate amendment H—4141, filed by him and moved its adoption:

H—4143

- 1 Amend the Senate amendment, H—4141, to House File
- 2 687 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 2, line 36, by inserting after the word
- 5 "~~employment.~~" the words "An official, employee, member
- 6 of the general assembly or legislative employee shall
- 7 not accept a gift in excess of two dollars in value
- 8 while receiving actual and necessary expenses from the
- 9 state government."

Roll call was requested by Lura of Marshall and Smalley of Polk.

Rule 80 was invoked.

On the question "Shall amendment H-4143, to the Senate amendment H-4141, be adopted?"

The ayes were, 38:

Anderson, J.	Anderson, R.	Arnould	Bennett
Brandt	Bruner	Clark, B.J.	Conlon
Corey	Crawford	Cusack	Daggett
De Groot	Egenes	Evans	Groth
Halvorson, R.N.	Hanson, D.	Hibbs	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lura	Maulsby	McKean	O'Kane
Oxley	Pelton	Poffenberger	Rapp
Ritsema	Shull	Smalley	Spear
Van Maanen	Welsh		

The nays were, 50:

Avenson	Byerly	Chiodo	Clark, J.H.
Cochran	Connolly	Connors	Crabb
Danker	Davitt	Dieleman	Diemer
Hall	Halvorson, R.A.	Hansen, I.	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Lind	Lonergan	Lorenzen
Miller	Pavich	Pellett	Perkins
Pope	Schneklath	Schroeder	Sherzan
Shimanek	Stromer	Swearingen	Thompson
Tyrrell	Walter	Wells	West
Woods	Mr. Speaker (Harbor)		

Absent or not voting, 12:

Bina	Binneboese	Branstad	Doyle
Gettings	Menke	Millen	Mullins
Norland	Patchett	Tofte	Welden

Amendment H-4143 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McKean of Jones, for the remainder of the day, on request of Halvorson of Clayton.

Hanson of Delaware offered the following amendment H-4175, to the Senate amendment H-4141, filed by him and Conlon of Muscatine from the floor:

H-4175

- 1 Amend the Senate amendment, H-4141, to House File
- 2 687 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 2, by inserting after line 36, the words
- 5 "d. An official, employee, member of the general
- 6 assembly or legislative employee shall not accept a
- 7 gift while receiving actual and necessary expenses
- 8 from the state government."

Connors of Polk rose on a point of order that amendment H-4175 was subject matter previously considered and, therefore, not in order.

The Speaker ruled the point well taken and amendment H-4175 not in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Johnson of Linn, for the remainder of the day, on request of Perkins of Greene.

Howell of Floyd offered amendment H-4177, to the Senate amendment H-4141, filed by him from the floor.

Johnson of Howard rose on a point of order that amendment H-4177 was not germane.

The Speaker ruled the point well taken and amendment H-4177 not germane.

Halvorson of Webster offered the following amendment H-4178, to the Senate amendment H-4141, filed by him from the floor:

H-4178

- 1 Amend the Senate amendment, H-4141, to House File
- 2 687 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the following:
- 5 "1. Page 1, by inserting after line 10 the
- 6 following:
- 7 "Sec. . Section nineteen A point nine (19A.9),
- 8 subsection twenty-one (21), Code 1979, is amended

9 to read as follows:

10 21. For veterans preference through a provision
11 that honorably separated veterans who served on active
12 duty in the armed forces of the United States in any
13 war, campaign or expedition, for which a campaign
14 badge or service medal has been authorized by the
15 government of the United States, shall have five
16 points added to the grade or score attained in
17 qualifying examinations for ~~appointment~~ entrance
18 appointments to jobs.

19 Veterans who have a service-connected disability
20 or who are receiving compensation, disability benefits
21 or pension under laws administered by the veterans
22 administration, shall have ten points added to the
23 grades attained in qualifying entrance examinations.
24 A veteran who has been awarded the Purple Heart for
25 disabilities incurred in action shall be considered
26 to have a service-connected disability." "

27 2. Page 2, line 38, by striking the word "section"
28 and inserting in lieu thereof the word "sections".

29 3. Page 2, by inserting after line 38 the
30 following:

31 "Sec. . Section seventy point one (70.1), Code
32 1979, is amended to read as follows:

33 70.1 APPOINTMENTS AND PROMOTIONS. In every public
34 department and upon all public works in the state,
35 and of the counties, cities, and school corporations
36 thereof, honorably discharged men and women from the
37 military or naval forces of the United States who
38 served in any war in which the United States was or
39 is now engaged, including the Philippine Insurrection,
40 China Relief Expedition, and the Korean Conflict at
41 any time between June 25, 1950 and January 31, 1955,
42 both dates inclusive, and the Vietnam Conflict
43 beginning August 5, 1964, and ending on the date the
44 armed forces of the United States are directed by
45 formal order of the government of the United States
46 to cease hostilities May 7, 1975, both dates inclusive,
47 who are citizens and residents of this state shall
48 be entitled to preference in appointment, for
49 employment, and ~~promotion~~ over other applicants of
50 no greater qualifications. The preference in

Page 2

1 appointment of employees of cities under a municipal
2 civil service system shall be as provided in section
3 four hundred point ten (400.10) of the Code. For
4 the purposes of this section World War II shall mean
5 service in the armed forces of the United States
6 between December 7, 1941, and December 31, 1946, both
7 dates inclusive."

8 4. Page 2, line 39, by striking the word "Sec.
9 " and inserting in lieu thereof the word "Sec.
10 ..
11 5. Page 4, by inserting after line 31 the
12 following:
13 " Page 17, by inserting after line 14 the
14 following:
15 "Sec. Section four hundred point ten (400.10),
16 Code 1979, is amended to read as follows:
17 400.10 PREFERENCES. In all examinations and for
18 appointments under the provisions of this chapter,
19 other than promotions and appointments of chief of
20 the police department and chief of the fire department,
21 honorably discharged men and women from the military
22 or naval forces of the United States in any war in
23 which the United States was or is now has been engaged,
24 including the Philippine Insurrection, China Relief
25 Expedition and the Korean Conflict at any time between
26 June 25, 1950 and January 31, 1955, both dates
27 inclusive, and the Vietnam Conflict beginning August
28 5, 1964, and ending on the date the armed forces of
29 the United States are directed by formal order of
30 the government of the United States to cease
31 hostilities May 7, 1975, both dates inclusive and
32 who are citizens and residents of this state, shall
33 be given the preference, if otherwise qualified have
34 five points added to the grade or score attained in
35 qualifying examinations for appointment to positions
36 and ten points shall be added to such grade or score
37 if the veteran has a service-connected disability
38 or is receiving compensation, disability benefits
39 or pension under laws administered by the veterans
40 administration. A veteran who has been awarded the
41 Purple Heart for disabilities incurred in action shall
42 be considered to have a service-connected disability.
43 However, such points are given only upon passing the
44 exam and shall not be the determining factor in passing
45 or failing.
46 For the purposes of this section World War II shall
47 be from December 7, 1941, to December 31, 1946, both
48 dates inclusive." "
49 6. By renumbering sections and correcting internal
50 references in accordance with this amendment.

Johnson of Howard rose on a point of order that amendment H-4178 was not germane.

The Speaker ruled the point well taken and amendment H-4178 not germane.

Krewson of Polk moved that the rules be suspended for the consideration of amendment H—4178.

Roll call was requested by Husak of Tama and Crabb of Crawford.

On the question "Shall the rules be suspended to consider amendment H—4178?"

The ayes were, 17:

Arnould	Brandt	Bruner	Connolly
Connors	Cusack	Groth	Halvorson, R.N.
Hanson, D.	Jochum	Krewson	Lloyd-Jones
O'Kane	Pavich	Sherzan	Spear
Walter			

The nays were, 61:

Anderson, J.	Avenson	Bennett	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Egenes	Hall	Halvorson, R.A.
Hansen, I.	Hibbs	Hinkhouse	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Loneragan
Lorenzen	Lura	Miller	Mullins
Oxley	Pellett	Pelton	Perkins
Poffenberger	Popè	Rapp	Schneklath
Schroeder	Shimaneck	Shull	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Wells	Welsh	West	Woods
Mr. Speaker (Harbor)			

Absent or not voting, 22:

Anderson, R.	Bina	Binneboese	Branstad
Cochran	Doyle	Evans	Gettings
Hoffmann	Jesse	Johnson, R.	Larsen
Maulsby	McKean	Menke	Millen
Norland	Patchett	Ritsema	Smalley
Tofte	Welden		

The motion lost.

(House File 687 and the Senate amendment H—4141, as amended, pending at adjournment.)

MOTIONS TO RECONSIDER
(Amendment H—4157 to Senate amendment
H—4141 to House File 687)

I move to reconsider the vote by which amendment H—4157 (to the Senate amendment H—4141) to House File 687 was adopted by the House on April 27, 1979.

HALVORSON of Clayton

(Amendment H—4176, to amendment H—4157, to Senate amendment H—4141, to House File 687)

I move to reconsider the vote by which amendment H—4176, to amendment H—4157 (to Senate amendment H—4141) to House File 687 was adopted by the House on April 27, 1979.

HALVORSON of Clayton

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 26, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 93, an act relating to the time allowed for renewal of a real estate apprentice salesperson's license.

House File 153, an act making a technical correction to the chapter on termination of parental rights.

House File 337, an act amending Section Four Hundred Seventy-six Point Six (476.6), unnumbered paragraph six (6), of the Code to provide that the rate of interest payable by a public utility on amounts refunded to customers under that paragraph shall be not more than twelve percent per annum, compounded annually.

House File 374, an act relating to the issuance and renewal of teacher certificates.

House File 683, an act increasing the maximum assessment established by the Iowa Corn Promotion Board and relating to the use for political purposes of funds derived from the assessment.

House File 696, an act legalizing proceedings taken in Linn County, Iowa, relating to the sale of property.

House File 729, an act relating to the payment of claims for nonpublic school pupil transportation.

Senate File 160, an act relating to the collection of delinquent taxes on buildings located on leased land.

Senate File 400, an act providing for limited guardianships under the state probate code.

Senate File 478, an act to legalize and validate the acts and agreements of North Iowa Municipal Electric Cooperative Association and its municipal members with Allied Power Cooperative of Iowa and declaring said actions to have been legally taken.

PRESENTATION OF VISITORS

Dieleman of Marion presented to the House the Honorable Gerrit Van Roekel, former member of the House representing Marion County.

The Speaker announced that the following visitors were present in the House chamber:

Eighty sixth grade students from Sigourney Middle School, Sigourney, Iowa, accompanied by Mrs. House, Mrs. Nilles, Mrs. Lloyd and Mrs. Nicholson. By Swearingen of Keokuk.

Forty sixth and seventh grade students from Whiting Elementary School, Whiting, Iowa, accompanied by Ms. Cochran and Ms. Baker. By Johnson of Woodbury.

Twenty-one eighth grade students from Sacred Heart School, Spencer, Iowa, accompanied by Dennis Ferguson. By Holt of Clay.

Seventy-five fifth grade students from Jefferson Elementary School, Muscatine, Iowa, accompanied by Mrs. Kaeding and Mrs. Rahlf. By Hoffmann of Muscatine.

Nine senior students from Tri-Center High School, Neola, Iowa, accompanied by Mr. Abariotes. By Danker of Pottawattamie.

Ten eighth grade students from Kanawha Christian School, Kanawha, Iowa, accompanied by Carroll Hol. By Stromer of Hancock.

Ten twelfth grade students from Shellsburg High School, Shellsburg, Iowa, accompanied by Steve Zerwas. By Hummel of Benton.

Twelve students from Greenfield High School, Greenfield, Iowa, accompanied by Jeanne and Wayne Steffen. By Davitt of Warren.

Fifty seventh grade students from Eldora High School, Eldora, Iowa, accompanied by Jan Dirks. By West of Marshall.

Twenty-six fifth grade students from Centerville Community School, Centerville, Iowa, accompanied by Miss Dawn Anderson. By Jay of Appanoose.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday morning, April 26. Had I been present, I would have voted "aye" on House File 737.

DIELEMAN of Marion

I was necessarily absent from the House chamber on April 27. Had I been present, I would have voted "aye" on House Files 742, 632, and 735.

JAY of Appanoose

I was necessarily absent from the House chamber on April 27. Had I been present, I would have voted "aye" on amendments H-4132, 4131 and 4136B to Senate File 487.

WELSH of Dubuque

COMMUNICATION FROM SECRETARY OF STATE

April 26, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 64, was published in The Clinton Herald, Clinton, Iowa on April 19, 1979, and in The Des Moines Register, Des Moines, Iowa on April 20, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

SUBCOMMITTEE ASSIGNMENTS

House File 722

Ways and Means: Bennett, Chair; Schnekloth and Cochran.

Senate File 39

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

Senate File 199

Ways and Means: Clark of Lee, Chair; Hummel, Bennett, Evans, Jochum, Pavich and Howell.

Senate File 321

Ways and Means: Evans, Chair; Daggett and Brandt.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 236

Ways and Means: Conlon, Chair; Lorenzen and Hall.

Study Bill 237

Ways and Means: Conlon, Chair; Lorenzen and Hall.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 722), a bill for an act relating to the length and weight of vehicles and combinations of vehicles and providing penalties for violations.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H-4152	H.F. 687	Brandt of Black Hawk
		Clark of Cerro Gordo
H-4153	H.F. 725	Spear of Lee
H-4154	H.F. 725	Spear of Lee
H-4159	H.F. 687	Walter of Pottawattamie
		Kirkenslager of Des Moines
		Bina of Scott
		Binneboese of Plymouth
H-4160	S.F. 489	Byerly of Polk
H-4165	S.F. 485	Horn of Linn
H-4166	S.F. 489	Horn of Linn
H-4167	S.F. 471	Jochum of Dubuque
H-4168	H.F. 2	Bruner of Story
H-4169	H.F. 2	Rapp of Black Hawk
H-4170	H.F. 2	Jochum of Dubuque
		Bruner of Story
H-4171	H.F. 687	Perkins of Greene
H-4172	H.F. 687	Welsh of Dubuque
H-4173	S.F. 264	Bruner of Story
H-4174	H.F. 731	Bruner of Story
H-4179	H.F. 719	Ritsema of Sioux
		Evans of Grundy
H-4180	H.F. 745	O'Kane of Woodbury

On motion by Halvorson of Clayton the House adjourned at 5:46 p.m., until 10:00 a.m., Monday, April 30, 1979.

JOURNAL OF THE HOUSE

One Hundred Thirteenth Calendar Day—Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 30, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Robert Liese, pastor of the Mount Calvary Lutheran Church, Indianola, Iowa.

The Journal of Friday, April 27, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. W. Beckman, Kalona, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lorenzen of Scott, for the morning session, on request of Branstad of Winnebago; Patchett of Johnson, for a portion of the day, on request of Bina of Scott; Danker of Pottawattamie on request of Harbor of Mills; Egenes of Story, for the morning session, on request of Clark of Lee; Groth of Buena Vista, for a portion of the day, on request of O'Kane of Woodbury.

INTRODUCTION OF BILLS

House File 747, by committee on ways and means, a bill for an act relating to the length, weight, and annual registration fees of vehicles and combinations of vehicles and providing penalties for violations.

Read first time and placed on the **ways and means calendar**.

House File 748, by committee on ways and means, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Read first time and placed on the **ways and means calendar**.

House File 749, by committee on appropriations, a bill for an act making an appropriation to establish a juvenile victim restitution program.

Read first time and placed on the **appropriations calendar**.

House File 750, by Halvorson of Clayton and Avenson, a bill for an act to legalize and validate the proceedings of the city of Keokuk in Lee county, in connection with the vacation of the alley in Block Ten (10), Reeves, Perry and Williams Addition to the city of Keokuk, Lee county, Iowa.

Read first time and referred to committee on **ways and means**.

House File 751, by Halvorson of Clayton and Avenson, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Read first time and referred to committee on **ways and means**.

House File 752, by Halvorson of Clayton and Avenson, a bill for an act to legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGE CONSIDERED

Senate File 493, a bill for an act relating to membership in the Iowa state association of counties.

Read first time and **passed on file**.

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 on April 26, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 172, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits.

Also: That the Senate has on April 26, 1979, amended the House amendment to, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 373, a bill for an act relating to unemployment compensation by making technical corrections to the Code.

Also: That the Senate has on April 26, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 424, a bill for an act relating to the filing of objections to estate or property appraisalment.

Also: That the Senate has on April 26, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 488, a bill for an act relating to state sales and use tax by providing penalties for violations.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 172

H-4181

- 1 Amend House File 172 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 8, by striking the word
- 4 "substantial".
- 5 2. Page 1, line 10, by striking the words "cost
- 6 of the" and inserting in lieu thereof the words "actual
- 7 cost of any labor and parts charged to or performed
- 8 by a retailer for any such".
- 9 3. Page 1, line 12, by striking the words "retail
- 10 value" and inserting in lieu thereof the words "actual
- 11 cost to a retailer including freight".
- 12 4. Page 1, line 12, by inserting after the word
- 13 "less" the words ", providing that the seller posts
- 14 in a conspicuous place notice that repairs, adjust-
- 15 ments or replacements will be disclosed upon request.
- 16 The exemption provided in this paragraph does not
- 17 apply to the concealment, suppression or omission
- 18 of a material fact if the purchaser requests disclo-
- 19 sure of any repair, adjustment or replacement".

SENATE AMENDMENT TO
HOUSE AMENDMENT TO
SENATE FILE 373

H-4182

1 Amend the House amendment, S-3499, to Senate File
2 373, as amended, passed and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 18 the following:

5 " . Page 1, line 29, by inserting after the
6 word "dollar." the words "However, until such time as
7 fifty-eight percent of the statewide average weekly wage
8 exceeds one hundred thirty-three dollars, an individual
9 with zero or one dependent who would be entitled to the
10 maximum weekly benefit amount if the individual's
11 weekly benefit amount were computed by using one-twenty-
12 first of the individual's high quarter wages, subject
13 to a maximum percentage of sixty-two percent of the
14 statewide average weekly wage, the individual shall
15 receive the maximum weekly benefit amount of sixty-two
16 percent of the statewide average weekly wage." "

17 2. Page 1, line 32, by striking the word "one-half"
18 and inserting in lieu thereof the word "one-quarter".

19 3. By striking page 1, line 50 through page 2,
20 line 2 and inserting in lieu thereof the words "least
21 ten times the weekly benefit amount, as a".

22 4. Page 2, by striking lines 5 through 8.

23 5. Page 2, by striking lines 9 through 11 and
24 inserting in lieu thereof the following:

25 "6. Page 6, by striking lines 11 through 25 and
26 inserting in lieu thereof the words "provided the
27 individual is otherwise eligible." "

28 6. Page 2, by striking lines 26 through 28.

29 7. Page 3, by inserting after line 15 the following:

30 " . Page 11, line 35, by inserting after the
31 words "paragraph "g"," the words "However, the succeeding
32 employer's account shall first be charged with benefit
33 payments to the individual due to wage credits earned
34 by the individual while employed by the succeeding
35 employer. After exhausting those wage credits, the
36 succeeding employer's account shall not be charged
37 with ten weeks of benefit payments to the individual
38 due to wage credits earned by the individual from a
39 previous employer, but rather the unemployment compensa-
40 tion trust fund shall be charged. After exhausting
41 the ten weeks of noncharging, the succeeding employer's
42 account shall again be charged with benefit payments."

43 . Page 12, line 11, by inserting after the word
44 "Code." the following:

45 "However, with respect to a succeeding employer who
 46 employs an individual who has been discharged for mis-
 47 conduct by a previous employer, the succeeding employer's
 48 account shall first be charged with benefit payments to
 49 the individual due to wage credits earned by the individual
 50 while employed by the succeeding employer. After

Page 2

1 exhausting those wage credits, the succeeding employer's
 2 account shall not be charged with ten weeks of benefit
 3 payments to the individual due to wage credits earned
 4 by the individual from a previous employer, but rather
 5 the unemployment compensation trust fund shall be
 6 charged. After exhausting the ten weeks of noncharging,
 7 the succeeding employer's account shall again be
 8 charged with benefit payments." "

9 8. By striking page 3, line 45 through page 4,
 10 line 12.

HOUSE FILE 687 DEFERRED

Halvorson of Clayton asked and received unanimous consent that House File 687 be deferred and that the bill retain its place on the calendar under House Files amended by the Senate.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 745, a bill for an act relating to the administration of the motor fuel and special fuel laws, was taken up for consideration.

O'Kane of Woodbury asked and received unanimous consent to withdraw amendment H—4180 filed by him on April 29, 1979.

Bennett of Ida 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. 745)

The ayes were, 80:

Anderson, J.
 Binneboese
 Clark, B.J.
 Connolly

Avenson
 Brandt
 Clark, J.H.
 Connors

Bennett
 Branstad
 Cochran
 Corey

Bina
 Bruner
 Conlon
 Crabb

Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Evans
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Holt	Horn	Hummel
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Lind
Lloyd-Jones	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellet
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 20:

Anderson, R.	Arnould	Byerly	Chioldo
Danker	Doyle	Egenes	Groth
Hoffmann	Howell	Hullinger	Husak
Jay	Kirkenslager	Larsen	Loneragan
Lorenzen	Patchett	Rapp	Shull

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

APPROPRIATIONS CALENDAR

House File 744, a bill for an act to change the names of the Iowa training school for boys and the Iowa training school for girls, was taken up for consideration.

Daggett of Taylor 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. 744)

The ayes were, 88:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Chioldo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors

Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hummel
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Weish	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Anderson, R.	Byerly	Danker	Doyle
Egenes	Howell	Hullinger	Husak
Lonergan	Lorenzen	Patchett	Rapp

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED House Refused To Concur

Pope of Polk called up for consideration **House File 662**, a bill for an act limiting the hotel and motel tax to a tax on sleeping accommodations and making corrective changes in the hotel and motel tax, amended by the Senate amendment H—3824 received from the Senate on April 10 and found on page 1480 of the House Journal, and moved that the House concur in the Senate amendment H—3824.

A non-record roll call was requested.

The ayes were 6, nays 78.

The motion lost and the House refused to concur in the Senate amendment H—3824.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 649**, a bill for an act to amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans, amended by the Senate amendment H—3825, as amended, received from the Senate April 10 and found on pages 1479 and 1480 of the House Journal.

Schroeder of Pottawattamie moved that the House concur in the Senate amendment H—3825, as amended.

The motion prevailed and the House concurred in the Senate amendment H—3825, as amended.

Schroeder of Pottawattamie 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 649)

The ayes were, 85:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 15:

Anderson, R.	Corey	Danker	Doyle
Egenes	Hall	Hinkhouse	Howell
Hullinger	Lonergan	Lorenzen	Lura
Norland	Patchett	Rapp	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE REFUSED TO CONCUR

Mullins of Kossuth called up for consideration **House File 723**, a bill for an act relating to access to certain sealed records for the purpose of locating county of adoption by an adult adopted person and to the disclosure of medical and developmental information concerning an adult adopted person or a person to be adopted and that person's natural parents, amended by the Senate amendment H-4030, received from the Senate on April 20 and found on page 1660 of the House Journal and moved that the House concur in the Senate amendment H-4030.

The motion lost and the House refused to concur in the Senate amendment H-4030.

SENATE AMENDMENT CONSIDERED

Hoffmann of Muscatine called up for consideration **House File 679**, a bill for an act establishing a committee to review the regulation of occupations, amended by the Senate amendment H-3810, received from the Senate on April 9 and found on pages 1426 through 1428 of the House Journal.

Crawford of Story offered the following amendment H-3954, to the Senate amendment H-3810, filed by him and moved its adoption:

H-3954

- 1 Amend the Senate amendment H-3810, to House
- 2 File 679, as passed by the House and reprinted, as
- 3 follows:
- 4 1. Page 1, by striking line 41 through page 2
- 5 line 7 and inserting in lieu thereof the following:

- 6 "4. Page 2, line 14, by striking the word
 7 "committee" and inserting in lieu thereof the word
 8 "commission".
 9 5. Page 2, line 15, by striking the word
 10 "committee" and inserting in lieu thereof the word
 11 "commission".
 12 6. Page 2, line 17, by striking the word
 13 "committee" and inserting in lieu thereof the word
 14 "commission"."

A non-record roll call was requested.

The ayes were 61, nays 19.

Amendment H—3954 was adopted.

Hoffmann of Muscatine moved that the House concur in the Senate amendment H—3810, as amended.

A non-record roll call was requested.

The ayes were 65, nays 20.

The motion prevailed and the House concurred in the Senate amendment H—3810, as amended.

Hoffmann of Muscatine 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 679)

The ayes were, 80:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hinkhouse
Hoffmann	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lura

Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Sherzan	Shimaneck	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 9:

Byerly	Chiodo	Diemer	Hibbs
Holt	Horn	Kirkenslager	Shull
Woods			

Absent or not voting, 11:

Anderson, R.	Danker	Doyle	Egenes
Harbor	Lind	Lonergan	Lorenzen
Patchett	Rapp	Stromer	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ritsema of Sioux called up for consideration **House File 368**, a bill for an act relating to police activity in gathering evidence which does not constitute the crime of solicitation, amended by the Senate amendment H-3991, received from the Senate on April 19 and found on page 1621 of the House Journal, and moved that the House concur in the Senate amendment H-3991.

The motion prevailed and the House concurred in the Senate amendment H-3991.

Ritsema 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 368)

The ayes were, 72:

Avenson	Bennett	Bina	Binneboese
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crabb	Crawford	Daggett	Davitt

De Groot	Dieleman	Diemer	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Lura	Maulsby	McKean	Menke
Mullins	Norland	Oxley	Pavich
Pellett	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 15:

Brandt	Bruner	Connolly	Cusack
Halvorson, R.N.	Hummel	Jay	Jesse
Jochum	Krewson	Lloyd-Jones	Miller
O'Kane	Pelton	Walter	

Absent or not voting, 13:

Anderson, J.	Anderson, R.	Arnould	Branstad
Danker	Doyle	Egenes	Larsen
Lind	Lonergan	Lorenzen	Patchett
Rapp			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Smalley of Polk called up for consideration **House File 669**, a bill for an act requiring a life cycle cost analysis for certain government construction projects, amended by the Senate amendment H-3993, received from the Senate on April 19 and found on pages 1622 through 1624 of the House Journal.

Howell of Floyd offered amendment H-4054, to the Senate amendment H-3993, filed by him and Evans of Grundy and requested division as follows:

H-4054

- 1 Amend the Senate amendment, H-3993, to House
- 2 File 669 as follows:

H-4054A

- 3 1. Page 1, line 7, by inserting after the word
- 4 "means" the words "a county, city, school district,
- 5 school corporation or combination thereof or".

H-4054B

- 6 2. Page 3, by striking lines 9 and 10.

On motion by Howell of Floyd, amendment H-4054A, to the Senate amendment H-3993, was adopted.

On motion by Howell of Floyd, amendment H-4054B, to the Senate amendment H-3993, was adopted.

Evans of Grundy offered amendment H-4134, to the Senate amendment H-3993, and requested division as follows:

H-4134

- 1 Amend the Senate amendment, H-3993, to House File
- 2 669 as follows:

H-4134A

- 3 1. Page 1, line 10, by inserting after the word
- 4 "building" the words "having twenty thousand square
- 5 feet or more of usable floor space".
- 6 2. Page 1, line 29, by striking the word
- 7 "includes," and inserting in lieu thereof the word
- 8 "includes".

H-4134B

- 9 3. Page 3, by striking lines 9 and 10.

Evans of Grundy asked and received unanimous consent to withdraw amendment H-4134B.

On motion by Evans of Grundy, amendment H-4134A, to the Senate amendment H-3993, was adopted.

Perkins of Greene offered the following amendment H-4055, to the Senate amendment H-3993, filed by him and moved its adoption:

H-4055

- 1 Amend the Senate amendment, H-3993, to House
- 2 File 669 as follows:
- 3 1. Page 2, line 47, by striking the words
- 4 "eligible for,".

Amendment H-4055 was adopted.

Evans of Grundy offered the following amendment H-4139, to the Senate amendment H-3993, filed by him and moved its adoption:

H-4139

- 1 Amend the Senate amendment, H-3993, to House
- 2 File 669 as amended, passed and reprinted by the
- 3 House, as follows:
- 4 1. Page 3, by inserting after line 8 the
- 5 following new section:
- 6 "Sec. . This Act shall be effective January 1,
- 7 1980, except that for a county, city, school district,
- 8 school corporation, or combination thereof the Act
- 9 shall be effective January 1, 1982."

Amendment H-4139 was adopted.

On motion by Smalley of Polk, the House concurred in the Senate amendment H-3993, as amended.

Smalley of Polk 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 669)

The ayes were, 87:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse

Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lura	Maulsby
Menke	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Miller

Absent or not voting, 12:

Anderson, J.	Chiodo	Danker	Doyle
Egenes	Jesse	Lonergan	Lorenzen
McKean	Patchett	Rapp	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Schroeder of Pottawattamie called up for consideration **House File 730**, a bill for an act relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment, amended by the Senate amendment H—4107, received from the Senate on April 25, and found on page 1785 of the House Journal, and moved that the House concur in the Senate amendment H—4107.

On motion by Schroeder of Pottawattamie, the House concurred in the Senate amendment H—4107.

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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 730)

The ayes were, 87:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lura	Maulsby	Menke
Miller	Mullins	Norland	O'Kane
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Weiden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting; 13:

Anderson, J.	Chiodo	Connors	Danker
Doyle	Egenes	Hummel	Loneragan
Lorenzen	McKean	Oxley	Patchett
Rapp			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE REFUSED TO CONCUR

Lageschulte of Bremer called up for consideration **House File 647**, a bill for an act relating to the compensation of township trustees and township clerks, amended by the Senate amendment H-3992, received from the Senate on April 19, 1979 and found on page 1622 of the House Journal.

Spear of Lee offered the following amendment H-4095, to the Senate amendment H-3992, filed by him and moved its adoption:

H—4095

1 Amend the Senate amendment, H—3992, to House File
2 647 as amended, passed and reprinted by the House
3 as follows:

- 4 1. Page 1, by striking lines 3 through 19 and
5 inserting in lieu thereof the following:
6 " Page 1, by striking lines 7 through 10 and
7 inserting in lieu thereof the following: "county
8 board of supervisors which shall not be less than
9 the hourly rate established for pay grade eight, step
10 one of the state merit system pay plan. However,
11 in lieu of an hourly rate of compensation the county
12 board of supervisors may establish a minimum pay rate
13 for each meeting of township trustees. The minimum
14 per meeting rate shall not be less than one hour's
15 pay at the hourly rate. The compensation shall be
16 paid from"."
- 17 2. Page 1, line 21, by striking the words "or
18 daily pay" and inserting in lieu thereof the words
19 "rate or per meeting".
- 20 3. Page 1, line 23, by striking the words "or
21 daily pay" and inserting in lieu thereof the words
22 "or per meeting".

A non-record roll call was requested.

The ayes were 18, nays 63.

Amendment H—4095 lost.

Spear of Lee asked and received unanimous consent to withdraw amendments H—4041 and H—4042, to the Senate amendment H—3992, filed by him on April 20, 1979.

Lageschulte of Bremer moved that the House concur in the Senate amendment H—3992.

The motion lost and the House refused to concur in the Senate amendment H—3992.

SENATE AMENDMENT CONSIDERED

Shull of Warren called up for consideration **House File 421**, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers

in this state from the other states and the federal government and to revise the confidentiality protections of the law, amended by the Senate amendment H—3764, received from the Senate on April 6 and found on page 1404 of the House Journal.

Conlon of Muscatine offered the following amendment H—3875, to the Senate amendment H—3764, filed by him and moved its adoption:

H—3875

- 1 Amend the Senate amendment, H—3764, to House
- 2 File 421, as amended, passed, and reprinted by the
- 3 House, as follows:
- 4 1. Page 1, by striking lines 1 through 8.

Roll call was requested by Pope of Polk and Hibbs of Johnson.

On the question "Shall amendment H—3875, to the Senate amendment H—3764, be adopted?"

The ayes were, 21:

Anderson, J.	Bennett	Branstad	Conlon
Daggett	Diemer	Evans	Halvorson, R.A.
Hoffmann	Norland	O'Kane	Pellett
Pelton	Schnekloth	Shimanek	Shull
Stromer	Thompson	Tofte	Van Maanen
West			

The nays were, 70:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Davitt	De Groot
Dieleman	Gettings	Groth	Hall
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lura	Maulsby	Menke	Miller
Mullins	Oxley	Patchett	Pavich
Perkins	Poffenberger	Pope	Rapp
Ritsema	Sherzan	Smalley	Spear
Swearingen	Tyrrell	Wells	Welsh
Woods	Mr. Speaker		

Absent or not voting, 9:

Danker
Lorenzen
Welden

Boyle
McKean

Egenes
Schroeder

Lonergan
Walter

Amendment H—3875 lost.

Pope of Polk offered the following amendment H—4084, to the Senate amendment H—3764, filed by Pope, et al. :

H—4084

- 1 Amend the Senate amendment H—3764, to House File
- 2 421, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 5, by inserting after the word
- 5 "taxpayer" the words "prior to the time".
- 6 2. Page 1, line 5, by striking the word "is"
- 7 and inserting in lieu thereof the word "are".

(Amendment H—4084, to the Senate amendment H—3764, to House File 421 temporarily deferred and pending at recess.)

HOUSE FILE 748 WITHDRAWN

West of Marshall asked and received unanimous consent to withdraw House File 748 from further consideration by the House and that the bill not be printed.

MOTION TO RECONSIDER WITHDRAWN (Senate File 164)

Bennett of Ida asked and received unanimous consent to withdraw the motion to reconsider Senate File 164 filed by him on April 20, 1979.

On motion by Halvorson of Clayton the House was recessed at 12:04 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury on request of Hullinger of Decatur.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-eight members present, twenty-two absent.

BUSINESS PENDING

The House resumed consideration of **House File 421**, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law, and amendment H—4084, to the Senate amendment H—3764 (found on page 1404 of the House Journal).

Pope of Polk moved the adoption of amendment H—4084, to the Senate amendment H—3764.

A non-record roll call was requested.

The ayes were 67, nays 15.

Amendment H—4084 was adopted.

Johnson of Linn asked and received unanimous consent that action on House File 421 be deferred and that the bill retain its place on the calendar under House Files amended by the Senate.

(Senate amendment H—3764, as amended, pending.)

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Crawford of Story for a portion of the afternoon on request of Millen of Van Buren.

SENATE AMENDMENT CONSIDERED

Conlon of Muscatine called up for consideration **House File 10**, a bill for an act relating to furnishing prosthetics devices for injured workers, amended by the Senate amendment H-3397, received from the Senate on March 14 and found on page 920 of the House Journal.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H-3436, to the Senate amendment H-3397, filed by Conlon, et al., on March 15, 1979.

Conlon of Muscatine moved that the House concur in the Senate amendment H-3397.

A non-record roll call was requested.

The ayes were 51, nays 38.

The motion prevailed and the House concurred in the Senate amendment H-3397.

Conlon 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 10)

The ayes were, 81:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Corey	Cusack	Davitt
Dieleman	Diemer	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johanson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulge
Larsen	Lind	Lloyd-Jones	Lonergan
Lura	McKean	Menke	Miller

Mullins	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Spear	Swearingen	Thompson	Walter
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 10:

Crabb	Daggett	De Groot	Holt
Lorenzen	Maulsby	Tofte	Tyrrell
Van Maanen	Welden		

Absent or not voting, 9:

Clark, J.H.	Crawford	Danker	Doyle
Egenes	Norland	Patchett	Smalley
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 148**, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, and Senate amendment H-3990 (found on page 1621 of the House Journal) and amendment H-4119 (to Senate amendment H-3990) found on page 1811 of the House Journal.

Perkins of Greene moved the adoption of amendment H-4119, to the Senate amendment H-3990.

A non-record roll call was requested.

The ayes were 68, nays 14.

Amendment H-4119 was adopted.

Tyrrell of Iowa offered the following amendment H-4184, to the Senate amendment H-3990, filed by him and Davitt of Warren from the floor and moved its adoption:

H-4184

- 2 148, as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 1, by striking lines 10 through 24.

Amendment H—4184 was adopted.

On motion by Tyrrell of Iowa, the House concurred in the Senate amendment H—3990, as amended.

Tyrrell of Iowa 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 148)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhose
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneran	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Clark, J.H.	Crawford	Danker	Doyle
Egenes	Jesse	Lura	Norland
Pelton	Smalley		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 52 WITHDRAWN

Schnekloth of Scott asked and received unanimous consent to withdraw House File 52 from further consideration by the House.

HOUSE FILE 140 WITHDRAWN

Spear of Lee asked and received unanimous consent to withdraw House File 140 from further consideration by the House.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

SENATE AMENDMENT CONSIDERED

Chiodo of Polk called up for consideration **House File 418**, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another, amended by the Senate amendment H-4050, received from the Senate on April 23, 1979 and found on pages 1716 and 1717 of the House Journal, and moved that the House concur in the Senate amendment H-4050.

The motion prevailed, and the House concurred in the Senate amendment H-4050.

Chiodo 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 418)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer

Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonerган	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	ShimaneK	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Walter	Wells	Welsh
Woods	Mr. Speaker		

The nays were, 5:

Bennett	Lorenzen	Tyrrell	Van Maanen
Welden			

Absent or not voting, 9:

Clark, J.H.	Crawford	Danker	Doyle
Egenes	Gettings	Krewson	Norland
West			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of House File 687, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, and the Senate amendment H-4141, found on pages 1845 through 1851 of the House Journal.

Walter of Pottawattamie offered the following amendment H-4159, to the Senate amendment H-4141, filed by Walter, et al.:

H-4159

- 1 Amend the Senate amendment, H-4141, to House File
- 2 687 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 3, by inserting after line 23 the
- 5 following:
- 6 " Page 6, by inserting after line 13 the

7 following:

8 "Sec. . . Section two hundred three A point
9 eleven (203A.11), subsection three (3), Code 1979,
10 is amended by adding the following new lettered
11 paragraph:

12 NEW LETTERED PARAGRAPH. To amygdalin, a cyano-
13 genetic glycoside, also known as laetrile, which is
14 processed from the seeds of certain fruits including
15 apricots, peaches, and plums.

16 Sec. . . Chapter two hundred three A (203A),
17 Code 1979, is amended by adding the following new
18 sections as a new division:

19 NEW SECTION. For the purposes of this division:

20 1. "Licensed physician" means an individual
21 licensed by the board of medical examiners to practice
22 medicine and surgery, osteopathy or osteopathic
23 medicine and surgery.

24 NEW SECTION.

25 1. It is lawful to manufacture amygdalin in this
26 state in accordance with the provisions of this chap-
27 ter and to sell the substance in the state for
28 distribution by licensed physicians.

29 2. A licensed physician may prescribe or adminis-
30 ter amygdalin, but only as an adjunct to recognized,
31 customary, or accepted modes of therapy in the
32 treatment of a malignancy, disease, illness or physical
33 condition or as a dietary supplement.

34 NEW SECTION.

35 1. A hospital or health care facility shall not
36 interfere with the physician-patient relationship
37 by restricting or forbidding the use of amygdalin
38 as an adjunct to recognized, customary, or accepted
39 modes of therapy in the treatment of a malignancy,
40 disease, illness, or physical condition or as a dietary
41 supplement when it is prescribed or administered by
42 a licensed physician and the patient has signed a
43 written informed request form provided in this
44 division.

45 2. A hospital or health care facility shall not
46 remove or deny the staff privileges of a licensed
47 physician solely because the physician prescribed
48 or administered amygdalin to a patient under the
49 conditions set forth by this division.

50 3. The state board of medical examiners shall

Page 2

1 not subject a licensed physician to disciplinary
2 action for prescribing or administering amygdalin
3 to a patient under the physician's care as an adjunct
4 to recognized, customary, or accepted modes of therapy

5 in the treatment of a malignancy, disease, illness,
6 or physical condition or as a dietary supplement if
7 the patient has knowingly and voluntarily signed the
8 written informed request form provided in this
9 division.

10 **NEW SECTION.** The written informed request shall
11 be on a form prepared by, and obtained from, the
12 department of health and shall be subject to the
13 department's continuing jurisdiction. The written
14 informed request form shall be in a format
15 substantially as follows:

16 **WRITTEN INFORMED REQUEST FOR PRESCRIPTION OF AMYGDALIN**
17 **FOR MEDICAL TREATMENT OR AS A DIETARY SUPPLEMENT**

18 Patient's name _____

19 Address _____

20 Age _____ Sex _____

21 Name and address of prescribing physician _____

22 _____

23 Malignancy, disease, illness, or physical condition diagnosed
24 for medical treatment by amygdalin:
25 _____
26 _____

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My physician has explained to me:

(1). That the Federal Food and Drug Administration has
determined amygdalin to be an "unapproved new drug".

(2). That neither the American Cancer Society nor the
Iowa Medical Society recommends the use of amygdalin in
the treatment of a malignancy, disease, illness or physi-
cal condition or as a dietary supplement.

(3). That there are alternative recognized treatments
for the malignancy, disease, illness, or physical con-
dition from which I suffer which the physician has of-
fered to provide for me including:

That notwithstanding the foregoing, I hereby request pre-
scription and use of amygdalin in the medical treatment
of the malignancy, disease, illness, or physical condi-
tion from which I suffer or as a dietary supplement.

Signature of Patient

ATTEST:

Prescribing physician

A copy of the written informed request shall be
forwarded immediately after execution to the

Page 3

1 appropriate hospital or health care facility and the
2 department of health.

3 NEW SECTION. This division does not constitute
4 an endorsement of amygdalin for the treatment of a
5 malignancy, disease, illness, or physical condition
6 and does not prevent a licensed physician from
7 prescribing amygdalin as a dietary supplement to a
8 patient not suffering from a known malignancy, disease,
9 illness, or physical condition.

10 NEW SECTION. This division does not require a
11 physician, pharmacist, pharmacy, manufacturer or
12 distributor to manufacture, sell or distribute
13 amygdalin, and does not require a physician to
14 prescribe amygdalin for any patient.

15 NEW SECTION. The department of health shall adopt
16 rules pursuant to chapter seventeen A (17A) of the
17 Code which establish standards governing the
18 production, processing, labeling, storing, handling,
19 selling, and administering of amygdalin.

20 NEW SECTION. The department of health may set
21 reasonable fees to be collected from the manufacturer
22 for establishing and administering the standards
23 required by this division.

24 NEW SECTION. A person who manufactures, prepares
25 or sells amygdalin which fails to comply with the
26 standards adopted by the department of health as
27 required by this division is guilty of a serious
28 misdemeanor. Each day of violation constitutes a
29 separate offense.

30 NEW SECTION. Three years after the effective date
31 of this Act, the commissioner of the department of
32 health shall make a report to the governor and the
33 general assembly concerning the effectiveness of
34 amygdalin in the treatment of cancer." "

35 2. By numbering and renumbering as required by
36 this amendment.

Johnson of Howard rose on a point of order that amendment H-4159 was not germane.

The Speaker ruled the point well taken and amendment H-4159 not germane.

Kirkenslager of Des Moines moved that the rules be suspended to consider and adopt amendment H-4159 to the Senate amendment H-4141.

Roll call was requested by Kirkenslager of Des Moines and Bina of Scott.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider and adopt amendment H—4159?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Byerly	Chiodo
Clark, B.J.	Cochran	Connors	Corey
Cusack	Davitt	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Jay
Jesse	Kirkenslager	Krewson	Larsen
Lonerган	McKean	Miller	O'Kane
Oxley	Pavich	Rapp	Sherzan
Shimanek	Spear	Walter	Wells
Welsh	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Bruner
Clark, J.H.	Conlon	Connolly	Crabb
Daggett	De Groot	Dieleman	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hoffmann	Holt	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	Menke
Mullins	Patchett	Pellett	Pelton
Perkins	Poffenberger	Ritsema	Schnekloth
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 6:

Crawford	Danker	Doyle	Egenes
Norland	Pope		

The motion lost.

Jochum of Dubuque offered the following amendment H—4186, to the Senate amendment H—4141, filed by him from the floor:

H—4186

- 1 Amend the Senate amendment H—4141, to House File
- 2 687, as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 4, by inserting after line 31 the
- 5 following:

6 " . Page 17, by inserting after line 14 the
7 following:
8 Sec. . Section four hundred twenty-two point
9 sixty-one (422.61), subsection four (4), Code 1979,
10 as amended by House File one hundred thirty-nine (139),
11 section three (3), enacted by the Sixty-eighth Gen-
12 eral Assembly, 1979 Session, is amended to read as
13 follows:
14 4. "Net income" means the net income of the
15 financial institution computed in accordance with
16 section 422.35, with the exception that interest and
17 dividends from federal securities and any amount of
18 franchise taxes paid or accrued under this division
19 during the taxable year shall not be subtracted and
20 interest and dividends from evidences of indebtedness
21 and securities of this state and its political sub-
22 divisions, exempt from federal income tax under the
23 Internal Revenue Code of 1954 as amended to and
24 including January 1, 1979, shall not be added."

Johnson of Howard rose on a point of order that amendment H-4186 was not germane.

The Speaker ruled the point well taken and amendment H-4186 not germane.

Jochum of Dubuque moved that the rules be suspended to consider and adopt amendment H-4186, to the Senate amendment H-4141.

A non-record roll call was requested.

The ayes were 35, nays 54.

The motion lost.

Brandt of Black Hawk offered the following amendment H-4152, to the Senate amendment H-4141, filed by her and Clark of Cerro Gordo and moved its adoption:

H-4152

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House as
3 follows:
4 1. Page 5, by inserting after line 6 the follow-
5 ing:

- 6 " . Page 19, by inserting after line 4 the
 7 following:
 8 "Sec. . Section five hundred seven B point four
 9 (507B.4), subsections twelve (12) and thirteen (13),
 10 Code 1979, are amended by striking the subsections." "
 11 2. By renumbering as required by this amendment.

Amendment H—4152 was adopted.

Welsh of Dubuque offered the following amendment H—4172, to the Senate amendment H—4141, filed by him:

H—4172

- 1 Amend the Senate amendment H—4141 to House File
 2 687 as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 5, by inserting after line 6 the follow-
 5 ing:
 6 " . Page 19, by inserting after line 11 the
 7 following:
 8 "Sec. . Section six hundred seven point two
 9 (607.2), Code 1979, is amended by adding the follow-
 10 ing new subsection:
 11 NEW SUBSECTION. Upon request, active members
 12 of a fire company." "
 13 2. By renumbering as required.

Johnson of Howard rose on a point of order that amendment H—4172 was not germane.

The Speaker ruled the point well taken and amendment H—4172 not germane.

Perkins of Greene offered the following amendment H—4171, to the Senate amendment H—4141, filed by him and moved its adoption:

H—4171

- 1 Amend the Senate amendment, H—4141, to House File
 2 687 as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 6, by inserting after line 31 the
 5 following:
 6 "11. Page 19, by inserting after line 26 the
 7 following:
 8 "Sec. 56. This Act, being deemed of immediate

9 importance, shall take effect from and after its
10 publication in the Monona Billboard, a newspaper
11 published in Monona, Iowa, and in The Council Bluffs
12 Nonpareil, a newspaper published in Council Bluffs,
13 Iowa." "

A non-record roll call was requested.

The ayes were 26, nays 58.

Amendment H—4171 lost.

Halvorson of Webster offered amendment H—4187, to the Senate amendment H—4141, filed by him and Anderson of Jasper from the floor and requested division as follows:

H—4187

1 Amend the Senate amendment H—4141, to House File
2 687 as amended, passed and reprinted by the House,
3 as follows:

H—4187A

4 1. Page 1, by inserting after line 7 the follow-
5 ing:
6 "NEW SUBSECTION. "Candidate" means a candidate
7 as defined in section fifty-six point two (56.2) of
8 the Code for a statewide office or the general
9 assembly."

H—4187B

10 2. Page 1, line 19, by inserting after the word
11 "contributions" the words "unless a contribution
12 exceeds one thousand dollars for a candidate for a
13 statewide office or three hundred dollars for a
14 candidate for the general assembly".

H—4187A

15 3. Page 2, line 24, by inserting after the word
16 "assembly," the word "candidate".

Halvorson of Webster asked and received unanimous consent to take up out of order amendment H—4187B.

Byerly of Polk asked for unanimous consent to defer action on House File 687 to prepare an amendment.

Objection was raised.

Spear of Lee offered the following amendment H—4192, to amendment H—4187B (to the Senate amendment H—4141) filed by him from the floor and moved its adoption:

H—4192

- 1 Amend amendment H—4187, to Senate amendment
- 2 H—4141, to House File 687 as amended, passed and
- 3 reprinted by the House, as follows:
- 4 1. Page 1, line 14, by inserting after the
- 5 word "assembly" the following: ". The limitations
- 6 of this section do not apply to contributions made
- 7 by a candidate to his or her own candidate's
- 8 committee".

A non-record roll call was requested.

The ayes were 23, nays 65.

Amendment H—4192 lost.

Hummel of Benton rose on a point of order that amendment H—4187B was not germane.

The Speaker ruled the point not well taken and amendment H—4187B germane.

Halvorson of Webster moved the adoption of amendment H—4187B to the Senate amendment H—4141.

Roll call was requested by Groth of Buena Vista and Halvorson of Webster.

Rule 80 was invoked.

On the question "Shall amendment H—4187B, to the Senate amendment H—4141, be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Cusack
Egenes	Groth	Hall	Halvorson, R.N.

Hanson, D.	Hibbs	Horn	Howell
Jay	Jesse	Jochum	Lageschulte
Lloyd-Jones	Lorenzen	McKean	Mullins
Norland	O'Kane	Oxley	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Sherzan	Smalley
Spear	Welsh		

The nays were, 53:

Anderson, J.	Bennett	Bina	Branstad
Chiodo	Connors	Corey	Crabb
Crawford	Daggett	Davitt	De Groot
Diemer	Evans	Gettings	Halvorson, R.A.
Hansen, I.	Harbor	Hinkhouse	Hoffmann
Holt	Hullinger	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lonergan
Lura	Maulsby	Menke	Miller
Patchett	Pavich	Pellett	Schroeder
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Wells	West	Woods
Mr. Speaker			

Absent or not voting, 5:

Cochran	Danker	Dieleman	Doyle
Welden			

Amendment H—4187B lost.

Halvorson of Webster moved the adoption of amendment H—4187A, to the Senate amendment H—4141.

A non-record roll call was requested.

The ayes were 53, nays 39.

Amendment H—4187A was adopted.

Halvorson of Clayton asked and received unanimous consent to withdraw the motion to reconsider amendment H—4157, to the Senate amendment H—4141, filed by him on April 27, 1979.

Halvorson of Clayton asked and received unanimous consent to withdraw the motion to reconsider amendment H—4176, to amendment H—4157 (to the Senate amendment H—4141) filed by him on April 27, 1979.

Johnson of Howard moved that the House concur in the Senate amendment H—4141, as amended.

Roll call was requested by Pelton of Clinton and McKean of Jones.

Rule 80 was invoked.

On the question "Shall the House concur in the Senate amendment H—4141, as amended?"

The ayes were, 52:

Anderson, J.	Bennett	Byerly	Chiodo
Clark, J.H.	Cochran	Connors	Corey
Crabb	Daggett	Davitt	Diemer
Gettings	Hall	Halvorson, R.A.	Hansen, I.
Harbor	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Krewson	Larsen	Lind	Loneragan
Miller	Oxley	Patchett	Pavich
Pellett	Rapp	Schroeder	Shimanek
Shull	Stromer	Swearingen	Thompson
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Branstad	Bruner
Clark, B.J.	Conlon	Connolly	Crawford
Cusack	De Groot	Dieleman	Egenes
Evans	Groth	Halvorson, R.N.	Hanson, D.
Hibbs	Howell	Husak	Johnson, W.
Kirkenslager	Lageschulte	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Norland	O'Kane	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Sherzan	Smalley	Spear
Tofte	Welden		

Absent or not voting, 2:

Danker	Doyle
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The motion prevailed and the House concurred in the Senate amendment H—4141, as amended.

Ritsema of Sioux asked for unanimous consent to amend the title.

Objection was raised.

Johnson of Howard 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 passage which motion prevailed and the bill was read a last time.

Rule 80 was invoked.

On the question "Shall the bill pass?" (H.F. 687)

The ayes were, 52:

Anderson, J.	Bennett	Brandt	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Connors	Corey	Crabb	Daggett
Davitt	Diemer	Hall	Halvorson, R.A.
Hansen, I.	Harbor	Hinkhouse	Hoffmann
Holt	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Krewson	Lind	Loneragan	Miller
Oxley	Patchett	Pavich	Pellett
Rapp	Schroeder	Shimanek	Shull
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Branstad	Bruner	Conlon
Connolly	Crawford	Cusack	De Groot
Dieleman	Egenes	Evans	Gettings
Groth	Halvorson, R.N.	Hanson, D.	Hibbs
Horn	Howell	Husak	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Norland	O'Kane
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schneklloth	Sherzan	Smalley
Spear	Welden		

Absent or not voting, 2:

Danker	Doyle
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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 REFUSED TO CONCUR

Hansen of O'Brien called up for consideration **House File 659**, a bill for an act relating to the salary of the administrator of an area education agency, amended by the Senate amendment H-4056, received from the Senate on April 23, 1979 and found on page 1717 of the House Journal, and moved that the House concur in the Senate amendment H-4056.

Roll call was requested by Tofte of Winneshiek and Stromer of Hancock.

On the question "Shall the House concur in the Senate amendment H-4056?"

The ayes were, 7:

Connolly	Hibbs	Lloyd-Jones	O'Kane
Smalley	Spear	Walter	

The nays were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
Wells	Welsh	Mr. Speaker	

Absent or not voting, 6:

Danker	Doyle	Lind	Lura
West	Woods		

The motion lost and the House refused to concur in the Senate amendment H—4056.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lind of Black Hawk for the remainder of the day on request of Thompson of Polk.

SENATE AMENDMENT CONSIDERED

Poffenberger of Dallas called up for consideration **House File 670**, a bill for an act relating to mining and providing penalties, amended by the Senate amendment H—4149, received from the Senate on April 27 and found on pages 1861 through 1864 of the House Journal, and moved that the House concur in the Senate amendment H—4149.

The motion prevailed and the House concurred in the Senate amendment H—4149.

Poffenberger of Dallas 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. 670)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Cannolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger

Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Danker	Doyle	Lind	West
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Maulsby of Calhoun called up for consideration **House File 725**, a bill for an act to amend the certificate of need law enacted in 1977, by increasing the number of members of the state health facilities council, by permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying for one additional year the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions, amended by the Senate amendment H-4029, received from the Senate on April 20 and found on pages 1660 and 1661 of the House Journal.

Maulsby of Calhoun offered the following amendment H-4135, to the Senate amendment H-4029, filed by him:

H-4135

- 1 Amend the Senate amendment, H-4029, to House File
- 2 725 as amended, passed and reprinted by the House,
- 3 as follows:

4 1. Page 1, line 4, by inserting after the figure
5 "19" the words ", and inserting in lieu thereof the
6 following:
7 "Section 1. Section one hundred thirty-five point
8 sixty-two (135.62), subsection two (2), paragraph
9 c, Code 1979, is amended to read as follows:
10 c. MEETINGS. The council shall hold an
11 organizational meeting in July of each odd-numbered
12 year, or as soon thereafter as the new appointee or
13 appointees are *confirmed and have qualified*. Other
14 meetings shall be held at least once each month, and
15 may be held more frequently if necessary to enable
16 the council to *expeditiously discharge its duties*.
17 Meeting dates shall be set upon adjournment or by
18 call of the chairperson upon five days' notice to
19 the other members. Each member of the council shall
20 receive a salary as fixed by the general assembly
21 compensation of forty dollars per diem and
22 reimbursement for necessary travel and expenses while
23 engaged in his or her official duties."

24 2. Page 1, by striking lines 11, 12 and 13 and
25 inserting in lieu thereof the following:
26 "4. Amend the title, line 2, by striking the words
27 "increasing the number of" and inserting in lieu
28 thereof the words "changing the manner of
29 compensating"."

Spear of Lee offered the following amendment H-4154, to amendment H-4135 (to the Senate amendment H-4029) filed by him:

H-4154

1 Amend amendment H-4135 to the Senate amendment,
2 H-4029, to House File 725 as amended, passed and
3 reprinted by the House, as follows:
4 1. Page 1, line 21, by striking the word "forty"
5 and inserting in lieu thereof the word "two hundred".

(House File 725 and amendment H-4154, to amendment H-4135 (to the Senate amendment H-4029) pending at adjournment.)

MOTIONS TO RECONSIDER
(House File 418)

I move to reconsider the vote by which House File 418 passed the House on April 30, 1979.

STROMER of Hancock

(House File 418)

I move to reconsider the vote by which House File 418 passed the House on April 30, 1979.

CHIODO of Polk

(Amendment H—4050 to House File 418)

I move to reconsider the vote by which the House concurred in the Senate amendment H—4050 to House File 418.

STROMER of Hancock

(House File 670)

I move to reconsider the vote by which House File 670 passed the House on April 30, 1979.

CONNORS of Polk

(Senate amendment H—4149 to House File 670)

I move to reconsider the vote by which the House concurred in the Senate amendment H—4149 to House File 670.

CONNORS of Polk

UNANIMOUS CONSENT CALENDAR
(House Resolution 35)

We hereby respectfully request that House Resolution 35, filed on Wednesday, April 25, 1979 and found on page 1793 of the House

Journal, be placed on the unanimous consent calendar.

HANSON of Delaware
HALVORSON of Webster
SHIMANEK of Jones

PRESENTATION OF VISITORS

Stromer of Hancock presented to the House the Honorable Ray W. Hagie, former member of the House, representing Wright County.

Thompson of Polk presented to the House the Honorable Edgar H. Bittle, former member of the House, representing Polk County.

The Speaker announced that the following visitors were present in the House chamber:

Fifteen members of Girl Scout Troop 122 from Sacred Heart School, West Des Moines, Iowa, accompanied by Mrs. Delores Dunagan and Mrs. Maley. By Thompson of Polk.

Twenty ninth grade students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Bruce Willemsen. By Avenson of Fayette.

Thirty-five fourth grade students from Woodward Elementary School, Woodward, Iowa, accompanied by Mr. Dan Fay and Mrs. Becky Holten. By Poffenberger of Dallas.

Ninety eighth grade students from St. Edwards School, Waterloo, Iowa, accompanied by Don Sullivan, Judy Sinwell and Carol Desch. By Lind of Black Hawk.

Sixty eighth grade students from Granger Middle School, Granger, Iowa, accompanied by Mrs. Corrigan. By Poffenberger of Dallas.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 30. Had I been present, I would have voted "aye" on House File 745.

SHULL of Warren

I was necessarily absent from the House chamber on April 30. Had I been present, I would have voted "aye" on House File 745.

HOFFMANN of Muscatine

I was necessarily absent from the House chamber on April 30. Had I been present, I would have voted "aye" on House File 745.

KIRKENSLAGER of Des Moines

I was necessarily absent Monday morning, April 30. Had I been present, I would have voted to concur on amendments to House Files 368, 649, 669, 679, 730 and would have voted "aye" on their final passage. I would have voted "aye" on House Files 744 and 745. I would have voted to not concur in the Senate amendments on House Files 647, 662 and 723.

LONERGAN of Boone

Because of my teaching responsibilities at Palmer Junior College in Davenport, Iowa, I was necessarily absent for a portion of Friday afternoon, April 27. Had I been present, I would have voted "aye" on amendment H-4144B to Senate File 487, Senate Files 487 and 405, and House File 741. I would have voted "nay" on amendment H-4157, amendment H-4156, amendment H-4143 and amendment H-4178 to Senate amendment H-4141 to House File 687.

BINA of Scott

COMMUNICATION FROM IOWA ARTS COUNCIL

The Biennium Report 1976-78 of the Iowa Arts Council has been received and is on file in the office of the Chief Clerk.

PROOF OF PUBLICATIONS

Published copy of House File 750 and verified proof of publication of said bill in The Daily Gate City, a newspaper printed and published in Keokuk, Lee County, Iowa, on April 10, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in *The Evening Democrat*, a daily newspaper printed and published in Fort Madison, Lee County, Iowa, on March 14, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in *The Observer*, a weekly newspaper printed and published in Vail, Crawford County, Iowa, on March 22, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in the *Iowa City Press Citizen*, a newspaper printed and published in Iowa City, Johnson County, Iowa, on March 9, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in *The Menville Record*, a newspaper printed and published in Menville, Woodbury County, Iowa, on March 15, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in the *Hardin County Times*, a weekly newspaper printed and published in Iowa Falls, Hardin County, Iowa, on March 12, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publica-

tion of said bill in The Brooklyn Chronicle, a weekly newspaper printed and published at Brooklyn, Poweshiek County, Iowa, on March 7, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in The Ocheyedan Press-Melvin News, a weekly newspaper printed and published in Ocheyedan, Osceola County, Iowa, on March 8, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in the New Sharon Star, a newspaper printed and published in New Sharon, Mahaska County, Iowa, on March 8, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in The Bell-Enterprise, a newspaper printed and published in Remsen, Plymouth County, Iowa, on March 8, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

(House File 752)

Published copy of House File 752 and verified proof of publication of said bill in The Harlan News-Advertiser, a weekly newspaper printed and published in Harlan, Shelby County, Iowa, on March 12, 1979 was filed with the Chief Clerk of the House prior to the time said bill was paced on passage in the House.

AMENDMENTS FILED

H-4183	S.F. 485	Avenson of Fayette
H-4185	S.F. 471	Schroeder of Pottawattamie
H-4188	S.F. 471	Chiodo of Polk
H-4189	S.F. 485	Horn of Linn
		Lind of Black Hawk

		Byerly of Polk
		Miller of Buchanan
H-4190	S.F. 485	Horn of Linn
H-4191	S.F. 485	Groth of Buena Vista
		Crabb of Crawford
H-4193	S.F. 489	Brandt of Black Hawk
H-4194	H.F. 747	Hullinger of Decatur
		Jay of Appanoose
H-4195	H.F. 719	Ritsema of Sioux
		Evans of Grundy
H-4196	S.F. 471	Jochum of Dubuque
H-4197	S.F. 489	Gettings of Wapello
		Cochran of Webster
		Brandt of Black Hawk
		Jochum of Dubuque
		Binneboese of Plymouth
		Wells of Linn
		Pavich of Pottawattamie
		Lloyd-Jones of Johnson
H-4198	S.F. 471	Jesse of Polk
H-4199	S.F. 471	Chiodo of Polk
		Gettings of Wapello
		Connors of Polk
		Walter of Pottawattamie
		Pavich of Pottawattamie
H-4200	S.F. 471	Chiodo of Polk
H-4201	S.F. 471	Cusack of Scott
H-4202	H.F. 650	Krewson of Polk
		Lloyd-Jones of Johnson
		Lorenzen of Scott

On motion by Halvorson of Clayton the House adjourned at 5:57 p.m., until 9:00 a.m., Tuesday, May 1, 1979.

JOURNAL OF THE HOUSE

One Hundred Fourteenth Calendar Day—Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 1, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Richard Russell, pastor of the United Methodist Church, Moulton, Iowa.

The Journal of Monday, April 30, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Keith Garner, Cherokee, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Danker of Pottawattamie, for the morning session, on request of Harbor of Mills.

INTRODUCTION OF BILL

House File 753, by Halvorson of Clayton and Avenson, a bill for an act to legalize the proceedings of the park board of the city of Monticello, Iowa in connection with the letting of certain contracts.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGE CONSIDERED

Senate File 488, a bill for an act relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored.

Read first time and referred to committee on **ways and means**.

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 on April 27, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 460, a bill for an act authorizing life insurance companies and associations under chapter five hundred eleven of the Code to invest in fixed interest bearing obligations of certain financial companies.

Also: That the Senate has on April 27, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 477, a bill for an act relating to the control, abatement and prevention of air pollution by the department of environmental quality.

Also: That the Senate has on April 30, 1979, insisted on its amendment to House File 671, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program, and the members of the conference committee on the part of the Senate, appointed May 1, 1979, are: The Senator from Mahaska, Senator Van Gilst, Chair; the Senator from Osceola, Senator Bergman; the Senator from Guthrie, Senator Hutchins; the Senator from Clayton, Senator Tieden; and the Senator from Buena Vista, Senator Waldstein.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 460

H-4205

- 1 Amend House File 460 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 30, by inserting after the word
- 4 "indebtedness" the words ", not to include currency,".
- 5 2. Page 2, by inserting after line 13 the
- 6 following:
- 7 "This subsection shall not authorize investment
- 8 in evidences of indebtedness issued, assumed, or
- 9 guaranteed by a foreign government which engages in
- 10 a consistent pattern of gross violations of human
- 11 rights."

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 725**, a bill for an act to amend the certificate of need law enacted in 1977, by increasing the number of members of the state health facilities council, by permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying for one

additional year the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions, and amendment H—4154 (found on page 1939) to amendment H—4135 (found on pages 1938 and 1939), to the Senate amendment H—4029 found on pages 1660 and 1661 of the House Journal.

Spear of Lee moved the adoption of amendment H—4154, to amendment H—4135 (to the Senate amendment H—4029).

A non-record roll call was requested.

The ayes were 23, nays 53.

Amendment H—4154 lost.

Spear of Lee asked and received unanimous consent to withdraw amendment H—4140, to amendment H—4135 (to the Senate amendment H—4029) filed by him on April 26, 1979.

Maulsby of Calhoun moved the adoption of amendment H—4135, to the Senate amendment H—4029.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 44, nays 47.

Amendment H—4135 lost.

Maulsby of Calhoun offered the following amendment H—4061, to the Senate amendment H—4029, filed by Maulsby, et al., and moved its adoption:

H—4061

- 1 Amend the Senate amendment, H—4029, to House
- 2 File 725 as follows:
- 3 1. Page 1, by striking lines 5 and 6.
- 4 2. Page 1, by striking lines 14 through 16.

Amendment H—4061 was adopted.

Spear of Lee offered the following amendment H—4153, to the Senate amendment H—4029, filed by him and moved its adoption:

H—4153

- 1 Amend the Senate amendment, H—4029, to House
- 2 File 725 as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 1, by inserting after line 16 the
- 5 following:
- 6 "6. Amend the title, line 8, by striking the
- 7 words "for one additional year" and inserting in
- 8 lieu thereof the words "until January 1, 1980"."

Amendment H—4153 was adopted.

On motion by Maulsby of Calhoun, the House concurred in the Senate amendment H—4029, as amended.

Maulsby of Calhoun 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 725)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Bruner	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer

Swearingen
Walter
Woods

Thompson
Wells
Mr. Speaker

Tofte
Welsh

Van Maanen
West

The nays were, 1:

Tyrrell

Absent or not voting, 9:

Brandt
Jesse
Welden

Byerly
Lageschulte

Danker
Mullins

Halvorson, R.N.
Patchett

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 Harbor of the Mills in the chair at 9:47 a.m.

MOTION TO RECONSIDER DEFERRED (House File 418)

Chiodo of Polk called up for consideration the motion to reconsider House File 418, filed on April 30, 1979, and moved to reconsider the vote by which House File 418, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another, passed the House on April 30 and that the motion to reconsider be tabled.

Chiodo of Polk asked and received unanimous consent to withdraw his motion to table the motion to reconsider and that the motion to reconsider be deferred.

Appropriations Calendar

Senate File 471, a bill for an act making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the department of revenue from the motor vehicle fuel tax fund and to the department of job service from the Iowa public employees' retirement system fund, with report of committee recommending amendment and passage was taken up for consideration.

Welden of Hardin offered amendment H—4130 filed by the committee on appropriations on April 26 and found on page 1853 of the House Journal and moved its adoption.

The committee amendment H—4130 was adopted.

Chiodo of Polk offered the following amendment H—4200 filed by him:

H—4200

1 Amend Senate File 471 as passed and reprinted
 2 by the Senate as follows:
 3 1. Page 3, line 17, by striking the word
 4 "two" and inserting the word "three".
 5 2. Page 3, by striking line 20 and inserting
 6 in lieu thereof the following: "other operational
 7 purposes.....\$ 2,350,200 \$ 2,363,141".
 8 3. Page 3, by inserting after line 22 the
 9 following:
 10 "It is the intent of the general assembly that
 11 an examiner be employed to examine electronic data
 12 processing facilities and develop an examination
 13 procedure for such facilities to complement regular
 14 bank examinations."

Chiodo of Polk offered the following amendment H—4203, to amendment H—4200, filed by him from the floor and moved its adoption:

H—4203

1 Amend amendment H—4200, to Senate File 471 as
 2 passed and reprinted by the Senate as follows:
 3 1. Page 1, line 4, by striking the word "three"
 4 and inserting in lieu thereof the word "four".
 5 2. Page 1, by striking line seven and inserting
 6 in lieu thereof the words and numbers "purposes
 7 \$2,377,207 \$2,388,977".
 8 3. Page 1, by inserting after line 9 the follow-
 9 ing:
 10 "It is the intent of the general assembly that
 11 an examiner be employed to be developed as a consumer
 12 affairs specialist and develop an examination appli-
 13 cation which would complement current examination
 14 procedures."

Amendment H—4203 lost.

Chiodo of Polk moved the adoption of amendment H—4200.

Roll call was requested by Chiodo of Polk and Woods of Polk.

On the question "Shall amendment H—4200 be adopted?"

The ayes were, 36:

Anderson, R.	Avenson	Binneboese	Bruner
Chiodo	Cochran	Connolly	Connors
Davitt	Dieleman	Doyle	Evans
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Jay	Jochum
Lind	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spear	Swearingen
Walter	Wells	Welsh	Woods

The nays were, 56:

Anderson, J.	Arnould	Bennett	Bina
Brandt	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Cusack	Daggett	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lorenzen	Lura	McKean	Menke
Millen	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Harbor)

Absent or not voting, 8:

Byerly	Danker	Hullinger	Jesse
Krewson	Maulsby	Patchett	Perkins

Amendment H—4200 lost.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H—4188 (to page 3) filed by him on April 30, 1979.

Jochum of Dubuque offered the following amendment H—4167 filed by him and moved its adoption:

H-4167

1 Amend Senate File 471 as follows:
 2 1. Page 4, by striking line 31 and inserting
 3 in lieu thereof the following:
 4 "other operational purposes...\$2,142,492 \$2,149,228"
 5 2. Page 4, by inserting after line 31 the
 6 following:
 7 "It is the intent of the general assembly that the
 8 Governor appoint a qualified attorney to act as a
 9 consumer advocate to represent residential and farm
 10 public energy utility consumers in proceedings before
 11 the Iowa state commerce commission and other state
 12 and federal agencies and courts. For purposes of
 13 section two hundred five (205) of the Energy
 14 Conservation Policy Act of 1976 as amended to January 1,
 15 1979, the consumer advocate is responsible for assisting
 16 consumers in presentations before the Iowa state
 17 commerce commission and shall be the recipient of any
 18 federal funds available to the state to implement that
 19 section."

Roll call was requested by Jochum of Dubuque and Anderson of Jasper.

Rule 80 was invoked.

On the question "Shall amendment H-4167 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Husak
Jay	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Poffenberger	Rapp	Schroeder	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hoffmann
Holt	Hullinger	Hummel	Johnson, J.

Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Millen
Mullins	Pellett	Pelton	Pope
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker (Harbor)		

Absent or not voting, 5:

Byerly	Chiodo	Daggett	Danker
Jesse			

Amendment H—4167 lost.

Jochum of Dubuque offered the following amendment H—4120 filed by him:

H—4120

1 Amend Senate File 471 as passed and reprinted
 2 by the Senate as follows:
 3 1. Page 4, by inserting after line 31 the
 4 following:
 5 "It is the intent of the general assembly
 6 that when possible the costs of serving freeway
 7 lighting for each utility providing the service
 8 shall be determined by the Iowa commerce commission,
 9 and rates for such service shall be no higher than
 10 necessary to recover these costs and a reasonable
 11 return on the utility's investment. In determin-
 12 ing such costs the Iowa commerce commission shall
 13 give full recognition to freeway lighting usage,
 14 or lack thereof, during the time of peak demand
 15 on each such utility."

Pelton of Clinton rose on a point of order that amendment H—4120 was not germane.

The Speaker ruled the point well taken and amendment H—4120 not germane.

Arnould of Scott offered the following amendment H—4206 filed by him from the floor:

H-4206

1 Amend Senate File 471 as passed and reprinted by
 2 the Senate as follows:
 3 1. Page 4, by inserting after line 31 the
 4 following:
 5 "It is the intent of the general assembly that
 6 the commerce commission shall prohibit by rule, a
 7 public utility subject to rate regulation by the
 8 commerce commission from passing the cost of
 9 lobbying legislation or rules before the admini-
 10 strative rules review committee on to the utility's
 11 customers."

Pelton of Clinton rose on a point of order that amendment H-4206 was not germane.

The Speaker ruled the point well taken and amendment H-4206 not germane.

Arnould of Scott moved that the rules be suspended to consider and adopt amendment H-4206.

Roll call was requested by Arnould of Scott and Bina of Scott.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider and adopt amendment H-4206?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Howell	Hullinger
Jay	Jochum	Lloyd-Jones	Loneragan
Miller	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	De Groot	Diemer	Egenes

Evans	Halvorson, R.A.	Hansen, I.	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Millen	Mullins	Pellet	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Mr. Speaker (Harbor)		

Absent or not voting, 7:

Byerly	Connors	Daggett	Danker
Jesse	Norland	West	

The motion lost.

Jochum of Dubuque offered the following amendment H-4196 filed by him:

H-4196

1 Amend Senate File 471 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 4, by inserting after line 35 the following:
 4 "It is the intent of the general assembly that
 5 the Iowa state commerce commission shall adopt rules
 6 pursuant to chapter seventeen A (17A) of the Code
 7 governing the practices and procedures of public
 8 utilities in disconnecting or discontinuing utility
 9 service for failure to pay service charges. These
 10 rules shall include, but need not be limited to, a
 11 prohibition against the termination of residential
 12 service on any day when the temperature is below
 13 thirty-two degrees Fahrenheit, a prohibition against
 14 the termination of residential service during the
 15 period between November first and the following May
 16 first when the failure to pay is a result of the
 17 inability of a customer to pay because of a lack of
 18 funds, a prohibition against termination of residential
 19 or nonresidential service unless the customer is first
 20 offered a reasonable installment payment plan with
 21 respect to past-due amounts, and a prohibition against
 22 a termination of residential service when the
 23 termination of service would adversely affect the
 24 health of any person who is residing in the household
 25 being served."

Pelton of Clinton rose on a point of order that amendment H—4196 was not germane.

The Speaker ruled the point well taken and amendment H—4196 not germane.

Cusack of Scott rose on a point of order and challenged the ruling of the chair.

Roll call was requested by De Groot of Lyon and Hibbs of Johnson.

On the question "Shall the ruling of the chair be sustained?"

The ayes were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	McKean	Menke	Millen
Mullins	Pellett	Pelton	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	

The nays were, 34:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Cusack	Dieleman
Gettings	Groth	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Jay
Jochum	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Patchett	Pavich
Rapp	Sherzan	Walter	Wells
Welsh	Woods		

Absent or not voting, 15:

Byerly	Connors	Danker	Davitt
Diemer	Doyle	Hall	Hullinger
Husak	Jesse	Maulsby	Oxley
Perkins	Poffenberger	Mr. Speaker (Harbor)	

The motion prevailed and the ruling of the chair was sustained.

Jochum of Dubuque moved that the rules be suspended to consider and adopt amendment H—4196.

Roll call was requested by Jochum of Dubuque and Welsh of Dubuque.

On the question "Shall the rules be suspended to consider and adopt amendment H—4196?"

The ayes were, 37:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Chiodo	Cochran
Connolly	Cusack	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Patchett	Pavich	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	De Groot	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hoffmann	Holt	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Lura	McKean
Menke	Millen	Mullins	Pellett
Pelton	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker (Harbor)

Absent or not voting, 15:

Arnould	Byerly	Connors	Danker
Davitt	Diemer	Hullinger	Hummel
Husak	Krewson	Maulsby	Oxley
Perkins	Poffenberger	West	

The motion lost.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions thereto on Senate File 471.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 52, nays 39.

The motion prevailed.

Rapp of Black Hawk offered the following amendment H—4209 filed by Rapp, Jochum, Bruner and Chiodo from the floor:

H—4209

1 Amend Senate File 471, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 4, by inserting after line 31 the
4 following:

5 "d. As a condition of expending the funds
6 appropriated in subsection five (5) of this section,
7 the Iowa Commerce Commission shall adopt within one
8 year of the effective date of this Act electric utility
9 rate schedule rules pursuant to chapter seventeen
10 A (17A) of the Code that apply to electric utilities
11 subject to rate regulation. The rules shall meet
12 the following standards:

13 (1) The rate schedule shall be on a reasonable
14 basis which reflects the costs of providing services
15 at different times of the year to the extent that
16 such costs vary seasonally for the utility.

17 (2) The rate schedule shall not provide for
18 decreasing rates for increased consumption of
19 electricity during any billing period.

20 (3) The rate schedule shall be on a time of day
21 basis for those classes of electricity users for which
22 the time of day basis is cost-effective. For purposes
23 of this subparagraph, a time of day rate schedule
24 is cost-effective if the long run benefits of the
25 rate schedule to the utility are likely to exceed
26 the metering costs and other costs associated with
27 the implementation of the time of day rate schedule.

28 (4) A rate schedule for interruptible services
29 to industrial and commercial electric consumers may
30 be charged at an amount which reflects the cost of
31 providing the interruptible service.

32 (5) A rate schedule for electrical users subject
 33 to load management control techniques that are
 34 reliable, create useful energy or capacity management
 35 advantages to the electric utility, and are cost-
 36 effective. For purposes of this paragraph, a load
 37 management control technique is cost-effective if
 38 the technique is likely to reduce maximum kilowatt
 39 demand on the electrical utility, and the long run
 40 cost savings to the utility of the reduction are
 41 likely to exceed the long run costs to the utility
 42 associated with implementation of the techniques.
 43 (6) The rate schedule shall not provide separate
 44 charges for energy costs, demand or capacity costs,
 45 and customer costs other than customer costs for the
 46 extension of electric distribution lines.
 47 (7) The rate schedule shall not differentiate
 48 between classes of electrical users, such as
 49 residential, commercial and industrial users, except
 50 as otherwise provided in this section."

Pelton of Clinton rose on a point of order that amendment H-4209 was not germane.

The Speaker took the point of order under advisement and action on amendment H-4209 was temporarily deferred.

Cusack of Scott offered the following amendment H-4201 filed by him and moved its adoption:

H-4201

1 Amend Senate File 471 as passed and reprinted
 2 by the Senate as follows:
 3 1. Page 5, by striking lines 11 through 13,
 4 and inserting in lieu thereof the words "comptroller
 5 be employed."

Roll call was requested by Cusack of Scott and Miller of Buchanan.

On the question "Shall amendment H-4201 be adopted?"

The ayes were, 43:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Conlon	Connolly	Cusack
Davitt	Dieleman	Doyle	Gettings

Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Crawford
Daggett	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Millen	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker (Harbor)	

Absent or not voting, 6:

Arnould	Connors	Danker	Krewson
Mullins	Swearingen		

Amendment H—4201 lost.

Chiodo of Polk offered the following amendment H—4199 filed by Chiodo, et al., and moved its adoption:

H—4199

- 1 'Amend Senate File 471 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 5, line 33, by striking the word
- 4 "sixteen" and inserting in lieu thereof the word
- 5 "seventeen".
- 6 2. Page 6, by striking line 2 and inserting in
- 7 lieu thereof the following: "operational purposes..
- 8\$ 413,375 \$ 408,695".
- 9 3. Page 6, by striking lines 3 through 5.

Roll call was requested by Woods of Polk and Byerly of Polk.

On the question "Shall amendment H—4199 be adopted?"

The ayes were, 38:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Husak	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Oxley	Pavich	Perkins	Rapp
Sherzan	Smalley	Walter	Wells
Welsh	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Millen	Miller	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Weiden
West	Mr. Speaker (Harbor)		

Absent or not voting, 8:

Arnould	Clark, B.J.	Connors	Danker
Hullinger	Jay	Krewson	Patchett

Amendment H—4199 lost.

(Senate File 471 pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:02 p.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Harbor of Mills in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, for a portion of the afternoon, on request of Bina of Scott; Chiodo of Polk, for the remainder of the day, on request of Anderson of Jasper.

HOUSE RESOLUTION 37

By Pavich and Walter

- 1 *Whereas*, The Thomas Jefferson High School of Council
2 Bluffs chapter of Vocational and Industrial Clubs of America
3 won first place in the group project competition at the State
4 Skills Olympics in Des Moines; and
5 *Whereas*, Kelly Turner and Victor Skinner placed first
6 in individual competition and will compete at the National
7 Olympics; and
8 *Whereas*, Marty Amen placed third in individual competition;
9 and
10 *Whereas*, it is fitting that the House of Representatives
11 extend its congratulations to the Thomas Jefferson High School
12 chapter of Vocational and Industrial Clubs of America; *Now*
13 *Therefore*,
14 *Be It Resolved By The House Of Representatives*, that
15 the Thomas Jefferson High School chapter of Vocational and
16 Industrial Clubs of America be congratulated on winning first
17 place in the group project competition, and first and third
18 in individual competitions at the State Skills Olympics in
19 Des Moines, and much success be wished to them in the National
20 Olympics, July 24-27 at Atlanta, Georgia; and
21 *Be It Further Resolved*, that a copy of this resolution
22 be sent to Gaylord Anderson, principal of Thomas Jefferson
23 High School; and
24 *Be It Further Resolved*, that a copy of this resolution
25 be sent to David Anderson and Wayne Mains, sponsors of the
26 Thomas Jefferson High School Vocational and Industrial Clubs.

Laid over under Rule 30.

QUORUM CALL

Roll call was requested by Kirkenlager of Des Moines and Lind of Black Hawk to determine that a quorum was present.

Rule 80 was invoked.

Present, 86:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Jesse	Jochum	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Millen	Miller	Mullins
Norland	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Ritsema
Schnekloth	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker (Harbor)		

Absent, 14:

Arnould	Brandt	Chiodo	Connors
Danker	Hanson, D.	Hullinger	Johnson, J.
O'Kane	Oxley	Patchett	Poffenberger
Schroeder	Sherzan		

UNANIMOUS CONSENT

Horn of Linn and Schnekloth of Scott asked and received unanimous consent to be included as present on the quorum call and their presence was so recorded.

BUSINESS PENDING

The House resumed consideration of **Senate File 471**, a bill for an act making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the department of revenue from the motor vehicle fuel tax fund and to the department of job service from the Iowa public employees' retirement system fund, and the point of order raised on amendment H—4209.

The Speaker ruled the point well taken and amendment H—4209 not germane.

Rapp of Black Hawk moved that the rules be suspended for the consideration of amendment H—4209.

Roll call was requested by Rapp of Black Hawk and Jochum of Dubuque.

On the question "Shall the rules be suspended to consider amendment H—4209?"

The ayes were, 38:

Anderson, R.	Bina	Binneboese	Brandt
Bruner	Byerly	Cochran	Connolly
Connors	Cusack	Davitt	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Spear	Walter	Wells
Welsh	Woods		

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hoffmann
Holt	Hummel	Husak	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting, 9:

Arnould	Avenson	Chiodo	Hullinger
Johnson, J.	Millen	Poffenberger	Pope
Sherzan			

The motion lost.

Jochum of Dubuque offered the following amendment H—4210 filed by him from the floor and moved its adoption:

H—4210

- 1 Amend Senate File 471 as passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 4, by inserting after line 31 the
- 4 following:
- 5 "As a condition for the receipt of funds under
- 6 this section, where possible the costs of serving
- 7 freeway lighting for each utility providing the
- 8 service shall be determined by the Iowa commerce
- 9 commission, and rates for such service shall be
- 10 no higher than necessary to recover these costs
- 11 and a reasonable return on the utility's invest-
- 12 ment. In determining such costs the Iowa commerce
- 13 commission shall give full recognition to freeway
- 14 lighting usage, or lack thereof, during the time
- 15 of peak load demand on each such utility."

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H—4210 be adopted?"

The ayes were, 40:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Cusack	Davitt	Dieleman
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Husak	Jay
Jesse	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Miller	Norland	Oxley
Patchett	Pavich	Perkins	Rapp
Spear	Wells	Welsh	Woods

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Johnson, R.	Johnson, W.	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby

McKean	Menke	Millen	Pellett
Pelton	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
West	Mr. Speaker (Harbor)		

Absent or not voting, 10:

Arnould	Chiodo	Connors	Hullinger
Johnson, J.	Krewson	Mullins	O'Kane
Poffenberger	Sherzan		

Amendment H—4210 lost.

Bruner of Story offered the following amendment H—4211 filed by him from the floor and moved its adoption:

H—4211

1 Amend Senate File 471, as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 4, by inserting after line 35 the fol-
 4 lowing:
 5 "As a condition of expending the funds appropriated
 6 under this section, the Iowa state commerce commission
 7 shall promulgate rules pursuant to chapter seventeen
 8 A (17A) of the Code governing the practices and pro-
 9 cedures of public utilities in disconnecting or dis-
 10 continuing utility service for failure to pay service
 11 charges. These rules shall include, but need not be
 12 limited to, a prohibition against the termination of
 13 residential service on any day when the temperature
 14 is below thirty-two degree Fahrenheit, a prohibition
 15 against the termination of residential service during
 16 the period between November first and the following
 17 May first without at least two weeks notice prior to
 18 shutoff, including personal notice and contact by
 19 phone or in person informing the customer of the
 20 impending shutoff and rights and remedies available
 21 to the customer, a prohibition against termination
 22 of residential or nonresidential service unless the
 23 customer is first offered a reasonable installment
 24 payment plan with respect to past-due amounts, and
 25 a prohibition against a termination of residential
 26 service at any time when the termination of service
 27 would pose an "especial danger" to the health of the
 28 customer or any permanent resident of the premise."

Roll call was requested by Groth of Buena Vista and Bruner of Story.

Rule 80 was invoked.

On the question "Shall amendment H—4211 be adopted?"

The ayes were, 42:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Miller	Norland
Oxley	Patchett	Pavich	Perkins
Rapp	Spear	Walter	Wells
Welsh	Woods		

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Dieleman
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting; 5:

Chiodo	Millen	O'Kane	Poffenberger
Sherzan			

Amendment H—4211 lost.

Norland of Worth offered amendment H—4208 filed by him from the floor and requested division as follows:

H-4208

1 Amend Senate File 471 as follows:

H-4208A

2 1. Page 8, by inserting after line 7 the following:
3 "Notwithstanding the provisions in section four
4 hundred twenty-five point one (425.1) of the Code,
5 the amount of the homestead credit for the fiscal
6 year beginning July 1, 1979 shall be determined on
7 the basis of the actual levy on the first four thousand
8 nine hundred twenty-seven (4,927) dollars of actual
9 value and for the fiscal year beginning July 1, 1980
10 shall be determined on the basis of the actual levy
11 on the first four thousand nine hundred twenty-seven
12 (4,927) dollars increased by an amount equal to the
13 state percent of growth as determined according to
14 subsections one (1), two (2) and three (3) of section
15 four hundred forty-two point seven (442.7) of the
16 Code."

H-4208B

17 2. Page 8, by inserting after line 23 the
18 following:
19 "In lieu of the appropriation to the agricultural
20 land credit fund located in the office of the treasurer
21 of state under section four hundred twenty-six point
22 one (426.1) of the Code, there is hereby appropriated
23 for the fiscal year beginning July 1, 1979 the sum
24 of forty-five million nine hundred eighty-three
25 thousand two hundred eighty (45,983,280) dollars and
26 for the fiscal year beginning July 1, 1980 the sum
27 of forty-five million nine hundred eighty-three
28 thousand two hundred eighty (45,983,280) dollars
29 increased by an amount equal to the state percent
30 of growth as determined according to subsections one
31 (1), two (2) and three (3) of section four hundred
32 forty-two point seven (442.7) of the Code."

H-4208C

33 3. Page 9, by striking line 12 and inserting in
34 lieu thereof the following:
35 "\$5,474,200 \$5,474,200
36 The amount appropriated hereunder for the fiscal
37 year beginning July 1, 1980 shall be increased by
38 an amount equal to the state percent of growth as
39 determined according to subsections one (1), two (2)
40 and three (3) of section four hundred forty-two point
41 seven (442.7) of the Code."

H-4208D

42 4. Page 9, by striking line 23 and inserting in
 43 lieu thereof the following:
 44 "\$14,213,952 \$14,213,952
 45 The amount appropriated hereunder for the fiscal
 46 year beginning July 1, 1980 shall be increased by
 47 an amount equal to the state percent of growth as
 48 determined according to subsections one (1), two (2)
 49 and three (3) of section four hundred forty-two point
 50 seven (442.7) of the Code."

H-4208E

Page 2

1 5. Amend the title, line 8, by inserting after
 2 the word "fund" the words "and to the agricultural
 3 tax credit fund and increase the homestead credit".

Pelton of Clinton rose on a point of order that amendment
 H-4208A was not germane.

The Speaker ruled the point well taken and amendment
 H-4208A not germane.

Pelton of Clinton rose on a point of order that amendment
 H-4208B was not germane.

The Speaker ruled the point well taken and amendment
 H-4208B not germane.

Norland of Worth moved that the rules be suspended to consider
 and adopt amendments H-4208A and H-4208B.

Roll call was requested by Norland of Worth and Anderson of
 Jasper.

On the question "Shall the rules be suspended to consider and
 adopt amendments H-4208A and H-4208B?"

The ayes were, 37:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse

Horn	Howell	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Loneragan
Norland	Patchett	Pavich	Rapp
Spear	Walter	Wells	Welsh
Woods			

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting, 14:

Chiodo	Clark, B.J.	Daggett	Danker
Hullinger	Krewson	Lageschulte	Millen
Miller	O'Kane	Oxley	Perkins
Poffenberger	Sherzan		

The motion lost.

Norland of Worth moved the adoption of amendment H—4208C.

Roll call was requested by Norland of Worth and Avenson of Fayette.

On the question "Shall amendment H—4208C be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Howell	Husak	Jay	Jesse
Jochum	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich

Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Pope
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Swearingen	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Harbor)

Absent or not voting, 13:

Chiodo	Daggett	Egenes	Horn
Hullinger	Lind	Lloyd-Jones	Millen
Perkins	Poffenberger	Schroeder	Stromer
Thompson			

Amendment H—4208C lost.

Norland of Worth moved the adoption of amendment H—4208D.

Roll call was requested by Norland of Worth and Byerly of Polk.

On the question "Shall amendment H—4208D be adopted?"

The ayes were, 39:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Woods	

The nays were, 46:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Dankær	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Mullins
Pellett	Pelton	Pope	Ritsema
Schnekloth	Shimanek	Shull	Smalley
Swearingen	Tofte	Tyrrell	Van Maanen
West	Mr. Speaker (Harbor)		

Absent or not voting, 15:

Arnould	Chiodo	Daggett	Horn
Krewson	Lind	Menke	Millen
Perkins	Poffenberger	Schroeder	Stromer
Thompson	Welden	Welsh	

Amendment H — 4208D lost.

Norland of Worth asked and received unanimous consent to withdraw amendment H — 4208E.

Anderson of Jasper offered the following amendment H — 4207 filed by him and Davitt of Warren from the floor and moved its adoption:

H — 4207

1 Amend Senate File 471, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, line 12, by inserting after the word
 4 "filled" the words "and that the auditor conduct at
 5 least five performance audits of state departments
 6 each year according to the criteria specified in
 7 section two point eighty (2.80), subsection two (2)
 8 of the Code. At least one of such audits shall be
 9 conducted on a state department recommended by the
 10 legislative council".

Roll call was requested by Anderson of Jasper and O'Kane of Woodbury.

On the question "Shall amendment H — 4207 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Cochran	Connolly
Connors	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 53:

Anderson, J.	Bennett	Brandt	Branstad
Byerly	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Cusack
Danker	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shull	Smalley	Swearingen	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker (Harbor)			

Absent or not voting, 8:

Chiodo	Daggett	Egenes	Horn
Millen	Shimaneck	Stromer	Thompson

Amendment H — 4207 lost.

Jesse of Polk offered the following amendment H — 4198 filed by him and moved its adoption:

H — 4198

- 1 Amend Senate File 471 as passed, and reprinted
- 2 by the Senate as follows:
- 3 1. Page 8, by inserting after line 15, the
- 4 following:
- 5 "It is the intent of the general assembly that
- 6 the secretary of state shall not lease space or
- 7 facilities in the capitol complex to any private

8 person without charging a fair and reasonable
 9 market price for such space or facilities as
 10 determined by the director of the general services
 11 department."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 49, nays 42.

Amendment H—4198 was adopted.

Schroeder of Pottawattamie offered the following amendment
 H—4185 filed by him and moved its adoption:

H—4185

- 1 Amend Senate File 471, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by striking lines 19 through 25.

Roll call was requested by Schroeder of Pottawattamie and
 Pope of Polk.

On the question "Shall amendment H—4185 be adopted?"

The ayes were, 31:

Anderson, J.	Bennett	Branstad	Byerly
Clark, J.H.	Crabb	Crawford	Danker
Davitt	Diemer	Doyle	Egenes
Groth	Helt	Howell	Hullinger
Hummel	Johnson, R.	Maulsby	Norland
O'Kane	Oxley	Pavich	Pellett
Poffenberger	Pope	Schroeder	Shull
Swearingen	Tyrrell	Wells	

The nays were, 58:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Conlon
Connolly	Connors	Corey	Cusack
De Groot	Dieleman	Evans	Gettings
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Horn	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, W.	Kirkenslager

Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Patchett	Pelton	Perkins	Rapp
Ritsema	Schneklloth	Sherzan	Shimanek
Smalley	Spear	Van Maanen	Walter
Welsh	Mr. Speaker (Harbor)		

Absent or not voting, 11:

Chiodo	Clark, B.J.	Cochran	Daggett
Millen	Stromer	Thompson	Tofte
Welden	West	Woods	

Amendment H—4185 lost.

Bruner of Story called up for consideration the motion to reconsider the committee amendment H—4130 filed by him from the floor and moved to reconsider the vote by which the committee amendment H—4130 was adopted by the House on May 1, 1979.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 49, nays 48.

The motion prevailed and the House reconsidered amendment H—4130.

Jochum of Dubuque rose on a point of order that the committee amendment H—4130 was not germane.

The Speaker ruled the point not well taken and the committee amendment H—4130 germane.

Speaker Millen in the chair at 4:18 p.m.

Welden of Hardin moved the adoption of the committee amendment H—4130.

Roll call was requested by Welden of Hardin and Schroeder of Pottawattamie.

Rule 80 was invoked.

On the question "Shall the committee amendment H-4130 be adopted?"

The ayes were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hoffmann	Holt
Howell	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Pellett	Pelton	Perkins
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

The nays were, 48:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hibbs	Hinkhouse	Horn	Hullinger
Husak	Jay	Jesse	Jochum
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lonergan	Norland	O'Kane
Oxley	Patchett	Pavich	Poffenberger
Pope	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 2:

Chiodo Stromer

Amendment H-4130 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. 471)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 4:

Jochum	Lura	O'Kane	Spear
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Absent or not voting, 1:

Chiodo

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

(Senate File 471)

Pelton of Clinton asked and received unanimous consent to immediately message Senate File 471 to the Senate.

CONFERENCE COMMITTEE APPOINTED

(House File 671)

The Speaker announced the appointment of the following

members to consider the differences between the House and Senate concerning House File 671: Pellett of Cass, Chair; Anderson of Audubon, Bennett of Ida, Hinkhouse of Cedar and Husak of Tama.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 4)

Groth of Buena Vista asked and received unanimous consent to withdraw the motion to reconsider Senate File 4 filed by him on April 20, 1979.

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 on April 23, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 693, a bill for an act providing for an individual income tax rebate for 1978 taxes and making an appropriation.

FRANK J. STORK, Secretary

**SENATE AMENDMENT TO
HOUSE FILE 693**

H-4220

- 1 Amend House File 693 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 24, by inserting after the figure
- 4 "(422.12)" the words and figures "and section four
- 5 hundred twenty-two point eight (422.8), subsection one
- 6 (1)".

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 30, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 307, an act relating to authorization for teaching.

House File 677, an act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

House File 694, an act making supplemental appropriations to the State Department of Transportation from the road use tax fund and the primary road fund for salaries, support, maintenance and miscellaneous purposes, administering the merit system, and unemployment compensation.

House File 709, an act relating to domestic abuse and providing a penalty.

House File 711, an act to legalize proceedings taken by the City of Sutherland relating to the letting of certain contracts.

House File 712, an act relating to the legalization and validation of proceedings taken by the Board of Supervisors of Allamakee County.

Senate File 448, an act authorizing cities and counties to issue revenue bonds under Chapter Four Hundred Nineteen (419) of the Code for the purpose of financing projects for the use of a State of Iowa institution under the Board of Regents.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 1st day of May, 1979: House Files 61, 131, 468, 470, 704, 710 and 713.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Four ninth grade students from Price Lab, Cedar Falls, Iowa, accompanied by Dr. Vander Beck and Arline Davids. By Diemer of Black Hawk.

Eighty fourth grade students from Waukee Elementary School, Waukee, Iowa, accompanied by Mary Anne Lockard, Margaret Hileman and Marilyn Anfinson. By Poffenberger of Dallas and Davitt of Warren.

Nineteen eighth grade students from St. John School, Independence, Iowa, accompanied by Lucille McGrath. By Miller of Buchanan.

Fifty-four fifth grade students from Sacred Heart School, West Des Moines, Iowa, accompanied by Peggy Horton. By Thompson of Polk.

Fifteen eighth grade students from Fonda Elementary School, Fonda, Iowa. By Maulsby of Calhoun.

Twenty students from Washington Middle School, Clinton, Iowa, accompanied by Alex Burrus and Mary Milder. By Pelton of Clinton.

Twenty-six eighth grade students from Oskaloosa School for Christian Instruction, Oskaloosa, Iowa, accompanied by Del Westra. By Van Maanen of Mahaska and Dieleman of Marion.

Thirteen sixth grade students from Havelock Elementary School, Havelock, Iowa, accompanied by Anna Marie Olson. By Groth of Buena Vista.

Thirty-five eighth grade students from Corwith-Wesley High School, Corwith, Iowa, accompanied by Roger Hoelscher. By Mullins of Kossuth, Stromer of Hancock and Branstad of Winnebago.

Eighty-five senior students from Johnson Senior High School, Johnson, Iowa, accompanied by Dave Pitz and O. J. Henning. By Krewson of Polk.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on May 1. Had I been present, I would have voted "aye" on House File 725.

LAGESCHULTE of Bremer

I was necessarily absent from the House chamber on May 1, because I was attending a meeting of the Seniors United for Action at the Delaware Opportunity Center in Des Moines. Had I been present, I would have voted "aye" on amendment H-4211 to Senate File 471.

SHERZAN of Polk

I was necessarily absent from the House chamber on April 30. Had I been present, I would have voted "aye" on House File 418.

GETTINGS of Wapello

I was necessarily absent from the House chamber on April 30. Had I been present, I would have voted "aye" on amendment H-4187B to House File 687.

DIELEMAN of Marion

Because of illness, I had to miss portions of Wednesday and Thursday afternoons, April 25 and 26. Had I been present, I would have voted "aye" on amendment H-3914C to House File 738, amendment H-3912 to House File 738, suspension of rules to consider amendment H-3905 to House File 738, House Files 738, 61, 468, 470, 742, 735 and 632, suspension of rules to consider amendment H-4113 to House File 742, and amendment H-4137 to House File 742, and "nay" on amendment H-4087 to House File 738.

CUSACK of Scott

COMMUNICATION

The Final Report of the Temporary State Land Preservation Policy Commission has been received pursuant to Chapter 93A, Code of Iowa and is on file in the office of the Chief Clerk.

PROOF OF PUBLICATION (House File 753)

Published copy of House File 753 and verified proof of publication of said bill in The Monticello Express, a newspaper printed and published in Monticello, Jones County, Iowa, on April 18 and 25 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 1, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies.

Recommended Amend and Do Pass.

H-4212

1 Amend Senate File 1 as amended, passed and reprinted
2 as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section one hundred eleven A point
6 four (111A.4), subsection eleven (11), Code 1979,
7 is amended by striking the subsection.

8 Sec. 2. Section three hundred thirty-two point
9 three (332.3), subsection twenty-four (24), Code 1979,
10 is amended by striking the subsection and inserting
11 in lieu thereof the following:

12 24. To levy a tax, subject to the provisions of
13 this subsection and not to exceed three cents per
14 thousand dollars of assessed value, with the amount
15 of tax collected not to exceed five thousand dollars
16 in a county with a population of less than fifty
17 thousand, fifteen thousand dollars in a county with
18 a population of fifty thousand or more but less than
19 one hundred thousand, or twenty-five thousand dollars
20 in a county with a population of one hundred thousand
21 or more, for the use of local, nonprofit historical
22 societies, organized pursuant to chapter five hundred
23 four (504) or chapter five hundred four A (504A) of
24 the Code, for the purpose of collecting and preserving
25 historical materials, artifacts, places, and structures
26 of the area, maintaining a historical library and
27 collections, conducting historical studies and
28 researches, issuing publications, providing public
29 lectures of historical interest, and otherwise
30 disseminating a knowledge of the history of the area
31 to the general public. If there are two or more
32 nonprofit historical societies in the county, the
33 board shall apportion the funds available under this
34 subsection as it determines. The county board of
35 supervisors shall require the historical society to
36 submit to the board as a prerequisite to receiving

37 funds under this subsection a proposed budget including
 38 the amount of available funds and estimated
 39 expenditures. A local historical society receiving
 40 funds under this subsection shall present to the
 41 county board of supervisors an annual report describing
 42 in detail its use of the funds received.

43 Sec. 3. This Act is effective January first
 44 following its enactment."

45 2. Amend the title, line 2, by inserting after
 46 the word "societies" the words "and prohibiting county
 47 conservation boards from appropriating funds for
 48 nonprofit historical societies".

Senate File 51, a bill for an act to repeal the chain store tax.

Recommended **Do Pass**.

AMENDMENTS FILED

H—4204	H.F. 747	Binneboese of Plymouth
H—4213	H.F. 747	Bennett of Ida
H—4214	H.F. 747	Loneragan of Boone Woods of Polk
H—4215	H.F. 747	Evans of Grundy Norland of Worth
H—4216	S.F. 493	Daggett of Taylor
H—4217	S.F. 235	Lloyd-Jones of Johnson Shimanek of Jones
H—4218	S.F. 485	Jochum of Dubuque Bruner of Story Arnould of Scott Krewson of Polk Rapp of Black Hawk O'Kane of Woodbury
H—4219	H.F. 450	Perkins of Greene
H—4221	H.F. 650	Perkins of Greene
H—4222	H.F. 418	Stromer of Hancock
H—4223	H.F. 672	Schroeder of Pottawattamie

On motion by Halvorson of Clayton the House adjourned at 4:44 p.m., until 10:00 a.m., Wednesday, May 2, 1979.

JOURNAL OF THE HOUSE

One Hundred Fifteenth Calendar Day—Seventy-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 2, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Father Frank Chiodo, pastor of Christ the King Catholic Church, Des Moines, Iowa.

The Journal of Tuesday, May 1, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. R. G. Boeke, Osage, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bina of Scott, for the remainder of the week, on request of Cusack of Scott.

INTRODUCTION OF BILLS

House File 754, by committee on appropriations, a bill for an act relating to the responsibilities of the department of social services' division of adult corrections for administration of the interstate corrections compact, for determinations regarding admission and discharge of patients of the security medical facility, and for supervision of jails.

Read first time and placed on the **appropriations calendar**.

House File 755, by committee on appropriations, a bill for an act relating to the administration and financing of current programs under the jurisdiction of the department of social services.

Read first time and placed on the **appropriations calendar**.

SENATE MESSAGE CONSIDERED

Senate File 477, a bill for an act relating to the control, abatement and prevention of air pollution by the department of environmental quality, and providing a civil penalty.

Read first time and referred to committee on **natural resources**.

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 on May 1, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 491, a bill for an act providing appropriations to certain persons in settlement of claims.

FRANK J. STORK, Secretary

CONSIDERATION OF BILLS
Ways and Means Calendar**SENATE FILE 493 SUBSTITUTED FOR HOUSE FILE 743**

Thompson of Polk asked and received unanimous consent to substitute Senate File 493 for House File 743.

Senate File 493, a bill for an act relating to membership in the Iowa state association of counties, was taken up for consideration.

Daggett of Taylor offered the following amendment H-4216 filed by him and moved its adoption:

H-4216

- 1 Amend Senate File 493, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, lines 21 through 26, by striking the
- 4 words "The total assessment collected from all of
- 5 the member counties shall not exceed seventy-five
- 6 thousand dollars per annum. In the event that more
- 7 than seventy-five thousand dollars is collected, the
- 8 excess shall be refunded proportionately to the
- 9 counties from which payment is received." and inserting

10 in lieu thereof the words "The total assessment for
 11 membership dues collected from all of the member
 12 counties shall not exceed seventy-five one hundred
 13 thousand dollars per annum. In the event that more
 14 than seventy-five one hundred thousand dollars is
 15 collected, the excess shall be refunded proportionately
 16 to the counties from which payment is received."

A non-record roll call was requested.

The ayes were 32, nays 49.

Amendment H—4216 lost.

Thompson 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. 493)

The ayes were, 62:

Anderson, R.	Avenson	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crabb	Cusack	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Horn	Howell	Husak
Jesse	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Menke	Norland
Pavich	Perkins	Poffenberger	Schroeder
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Walter	Welden	Wells
West	Mr. Speaker		

The nays were, 30:

Anderson, J.	Arnould	Bennett	Binneboese
Branstad	Connolly	Daggett	Danker
Davitt	Gettings	Groth	Hinkhouse
Hullinger	Hummel	Jay	Jochum
Johnson, J.	Johnson, R.	Maulsby	McKean
Miller	O'Kane	Oxley	Pellett
Pelton	Pope	Schneklath	Smalley
Van Maanen	Welsh		

Absent or not voting, 8:

Bina	Crawford	Krewson	Mullins
Patchett	Rapp	Ritsema	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 743 WITHDRAWN

Thompson of Polk asked and received unanimous consent to withdraw House File 743 from further consideration by the House.

House File 746, a bill for an act to increase the interest rate for late payment of the inheritance tax due, was taken up for consideration.

Lura of Marshall 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. 746)

The ayes were, 57:

Arnould	Avenson	Bennett	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Crabb
Crawford	Cusack	Daggett	Diemer
Egenes	Evans	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Horn	Hummel	Jesse
Jochum	Johnson, J.	Johnson, W.	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Menke	Norland
Oxley	Patchett	Poffenberger	Pope
Rapp	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Welden	West
Mr. Speaker			

The nays were, 37:

Anderson, J.	Binneboese	Byerly	Chiodo
Connolly	Corey	Danker	Davitt
De Groot	Dieleman	Doyle	Gettings
Hibbs	Hinkhouse	Hoffmann	Holt
Howell	Hullinger	Husak	Jay

Johnson, R.	Kirkenslager	Maulsby	McKean
Miller	O'Kane	Pavich	Pellett
Pelton	Perkins	Smalley	Spear
Tyrrell	Van Maanen	Walter	Wells
Welsh			

Absent or not voting, 6:

Anderson, R.	Bina	Krewson	Mullins
Ritsema	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE RECEDES

Tofte of Winneshiek called up for consideration, **Senate File 269**, a bill for an act providing that a board of supervisors may furnish the sheriff with an office anywhere within the county, amended by the House and moved that the House insist on its amendment.

A non-record roll call was requested.

The ayes were none, nays 84.

The motion lost and the House receded from its amendment.

Tofte of Winneshiek 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. 269)

The ayes were, 91:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbqr	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.

Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loñergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Schneklath	Schroeder	Sherzan	ShimaneK
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Arnould	Bina	Branstad	Egenes
Horn	Krewson	Mullins	Ritsema
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Branstad of Winnebago called up for consideration **House File 672**, a bill for an act authorizing township trustees to divide a township into taxing districts to provide fire protection service, amended by the Senate amendment H-4150, received from the Senate on April 27 and found on pages 1864 and 1865 of the House Journal.

Schroeder of Pottawattamie offered amendment H-4223, to the Senate amendment H-4150, filed by him and requested division as follows:

H-4223

- 1 Amend the Senate amendment, H-4150, to House File
- 2 672, as passed by the House, as follows:

H-4223A

- 3 1. Page 1, line 6, by inserting after the word
- 4 "PROTECTION" the word "SERVICE".
- 5 2. Page 1, line 8, by inserting after the word
- 6 "protection" the word "service".
- 7 3. Page 1, line 15, by inserting after the word

- 8 "protection" the word "service".
9 4. Page 1, line 15, by inserting after the word
10 "ambulance" the word "service".
11 5. Page 1, line 15, by inserting after the word
12 "equipment" the words "or both kinds of apparatus
13 or equipment".
14 6. Page 1, line 19, by inserting after the word
15 "protection" the word "service".
16 7. Page 1, line 19, by inserting after the word
17 "service" the words "or both services".
18 8. Page 1, line 31, by inserting after the word
19 "protection" the word "service".
20 9. Page 1, line 31, by inserting after the word
21 "agreement" the words "or both service agreements".
22 10. Page 1, line 41, by inserting after the word
23 "protection" the word "service".
24 11. Page 1, line 42, by inserting after the word
25 "purposes" the words "or for both purposes".
26 12. Page 1, line 45, by inserting after the word
27 "protection" the word "service".

H-4223B

- 28 13. Page 1, lines 48' through 50, by striking the
29 words ", excluding any property within the corporate
30 limits of a city,".

H-4223A

- 31 14. Page 2, line 2, by inserting after the word
32 "ambulance" the word "service".

On motion by Schroeder of Pottawattamie, amendment H-4223A, to the Senate amendment H-4150, was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H-4223B.

On motion by Lorenzen of Scott, the House concurred in the Senate amendment H-4150, as amended.

Branstad of Winnebago 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 672)

The ayes were, 92:

Anderson, R.	Arnould	Avenson	Bennett
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, 5:

Anderson, J.	Branstad	De Groot	Hansen, I.
Maulsby			

Absent or not voting, 3:

Bina	Krewson	Woods
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE
(House File 672)

Branstad of Winnebago asked and received unanimous consent to immediately message House File 672 to the Senate.

MOTIONS TO RECONSIDER WITHDRAWN
(House File 670)

Connors of Polk asked and received unanimous consent to withdraw the motion to reconsider House File 670, a bill for an act relating to mining and providing penalties filed by him on April 30, 1979, and the motion to reconsider the Senate amendment H—4149.

HOUSE FILE 740 WITHDRAWN

West of Marshall asked and received unanimous consent to withdraw House File 740 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

HOUSE FILE 693 DEFERRED

Conlon of Muscatine called up for consideration **House File 693**, a bill for an act providing for an individual income tax rebate for 1978 taxes and making an appropriation, amended by the Senate amendment H—4220 received from the Senate on May 1 and found on page 1979 of the House Journal.

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on House File 693.

UNFINISHED BUSINESS CALENDAR

Senate File 382, a bill for an act relating to the continuing education of insurance agents, with report of committee recommending amendment and passage was taken up for consideration.

Shull of Warren offered amendment H—3686 filed by the committee on commerce on April 2 and found on pages 1268 and 1269 of the House Journal.

Pelton of Clinton offered the following amendment H—3945, to the committee amendment H—3686, filed by him and moved its adoption:

H—3945

2 follows:

3 1. Page 1, by striking lines 3 through 6.

Roll call was requested by Dieleman of Marion and O'Kane of Woodbury.

Rule 80 was invoked.

On the question "Shall amendment H—3945, to the committee amendment H—3686, be adopted?"

The ayes were, 44:

Avenson	Binneboese	Branstad	Byerly
Cochran	Connolly	Corey	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Hoffmann	Holt	Horn	Howell
Hullinger	Jay	Jesse	Johnson, J.
Johnson, W.	Larsen	Lloyd-Jones	Lonergan
Lura	Maulsby	Menke	Miller
O'Kane	Oxley	Patchett	Pavich
Pelton	Poffenberger	Rapp	Schneklath
Sherzan	Tyrrell	Walter	Welsh

The nays were, 52:

Anderson, J.	Anderson, R.	Arnould	Bennett
Brandt	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Doyle	Egenes	Evans	Hansen, I.
Harbor	Hibbs	Hinkhouse	Hummel
Husak	Jochum	Johnson, R.	Kirkenslager
Lageschulte	Lind	Lorenzen	McKean
Mullins	Norland	Pellett	Perkins
Pope	Ritsema	Schroeder	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Welden	Wells	West	Mr. Speaker

Absent or not voting, 4:

Bina	Connors	Krewson	Woods
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Amendment H—3945 lost.

On motion by Shull of Warren, the committee amendment H—3686 was adopted.

Connors of Polk offered the following amendment H—4226 filed by him from the floor and requested a ruling as to whether or not the amendment was germane:

H—4226

- 1 Amend Senate File 382 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 15, by inserting after the word
- 4 "Code" the words ", for refusing to provide insurance
- 5 because of age,".

The Speaker ruled the point well taken and amendment H—4226 not germane.

Shull of Warren 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 81, Miller of Buchanan and Halvorson of Clayton refrained from voting.

On the question "Shall the bill pass?" (S.F. 382)

The ayes were, 91:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Branstad	Bruner
Byerly	Chiodo	Clark, J.H.	Cochran
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema

Schnekloth	Schroeder	Sherzan	ShimaneK
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Va'n Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, 1:

Conlon

Absent or not voting, 8:

Bina	Brandt	Clark, B.J.	Halvorson, R.A.
Hibbs	Krewson	Miller	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

(Senate File 382)

Shull of Warren asked and received unanimous consent to immediately message Senate File 382 to the Senate.

MOTION TO RECONSIDER WITHDRAWN

(Senate File 479)

Daggett of Taylor asked and received unanimous consent to withdraw the motion to reconsider Senate File 479, a bill for an act to legalize and validate the proceedings of the board of directors of southwestern community college merged area (merged area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under chapter two hundred eighty A (280A) of the Code, filed by him on April 18, 1979.

On motion by Halvorson of Clayton the House was recessed at 11:58 a.m. until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Crawford of Story, for a portion of the afternoon, on request of Clark of Lee.

HOUSE CONCURRENT RESOLUTION 20
By Brandt, Clark of Cerro Gordo, McKean and Lloyd-Jones

1 *Whereas*, there is a current trend among state legis-
2 latures to systematically review the administration and
3 operations of state agencies to determine if the
4 intent and objectives of the legislation creating the
5 state agencies is being carried out; and
6 *Whereas*, the Iowa merit employment department was
7 created in 1967 and since that date the policies of
8 the Iowa merit employment commission and operations of
9 the Iowa merit employment department have not been
10 comprehensively reviewed by the general assembly or
11 any of its committees; and
12 *Whereas*, differences have arisen between the depart-
13 ment of social services and the Iowa merit employment
14 department concerning the classification or exemption
15 from classification of certain positions within the
16 department of social services; and
17 *Whereas*, continuing problems are being experienced
18 relating to the retention of qualified correction
19 officers at the state correctional institutions; *Now*
20 *Therefore*,
21 *Be It Resolved by the House of Representatives, the*
22 *Senate Concurring*, That the legislative council create
23 a study committee or joint subcommittee composed of
24 members of the house and senate standing committees on
25 state government to review and study the policies of
26 the Iowa merit employment commission and the administra-
27 tion and operation of the Iowa merit employment depart-
28 ment under chapter nineteen A (19A) of the Code; and
29 *Be It Further Resolved*, That the study committee or
30 joint subcommittee shall prepare and submit a report to

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1 the legislative council and the standing committees
2 on state government at the conclusion of the 1979
3 interim which shall be accompanied by bill drafts to
4 carry out the recommendations of the committee or
5 subcommittee.

Laid over under Rule 30.

HOUSE RESOLUTION 38
By Lind, Brandt, Rapp

1 *Whereas*, Norma Rehder served for thirty years as
2 an able and vigorous member of the Waterloo Community
3 Schools Board of Directors; and

4 *Whereas*, Norma Rehder was nationally recognized
5 as an expert on solutions of the problems of public
6 education; and

7 *Whereas*, Norma Rehder was a leader in sponsoring
8 and fighting for the advancement of the school teachers
9 of Iowa and school administrators of Iowa alike; and

10 *Whereas*, Norma Rehder was active in education as
11 a teacher, encyclopedia editor, business woman, and
12 civic leader, acting as a compassionate person with
13 concern for all Iowans; and

14 *Whereas*, Norma Rehder died as she lived, vigorously
15 considering her city and her constituents with every
16 breath; *Now Therefore*,

17 *Be It Resolved by the House of Representatives*,
18 That Mrs. Norma Rehder be posthumously commended for
19 her service to the people of Iowa; and

20 *Be It Further Resolved*, That a copy of this
21 resolution be forwarded to Douglas Puhl, President,
22 Board of Directors, Waterloo Community Schools;
23 Lowell Dauenbaugh, Waterloo Education Association;
24 and David Rehder, surviving son, in care of Waterloo
25 Schools Board of Education.

Laid over under Rule 30.

HOUSE RESOLUTION 39
By Cusack and Hansen of O'Brien

1 *Whereas*, the Commission on the Aging of the State
2 of Iowa has initiated preparations to hold, on November
3 13-16, 1979, a model legislative session to be known
4 as the Older Iowans Model Legislature; and

5 *Whereas*, the Older Iowans Model Legislature will be
6 composed of one hundred of Iowa's senior citizens
7 selected by their peers from around the state, through
8 the various area agencies on the aging, who will come
9 together to consider and debate public issues of concern
10 to them; and

11 *Whereas*, the Older Iowans Model Legislature will serve
12 the purposes of making all Iowans more aware of the
13 vigorous and useful roles played by older Iowans in the
14 public affairs of this state more fully informing older
15 Iowans themselves about the legislative process in this
16 state, and more fully informing the General Assembly and
17 the Commission on the Aging of the views of older Iowans
18 on current questions of public policy; *Now Therefore*,

19 *Be It Resolved By The House Of Representatives*, That
20 the membership of the House of Representatives of the
21 Sixty-eighth General Assembly of the State of Iowa expresses
22 its approval of and support for the Commission on the Aging
23 in planning, preparing for and conducting the second Older

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- 1 Iowans Model Legislature, and that it hereby directs the
- 2 Chief Clerk of the House to furnish to the Commission on
- 3 the Aging such cooperation and assistance in connection with
- 4 the Older Iowans Model Legislature as the Commission may
- 5 reasonably request.

Laid over under Rule 30.

SENATE MESSAGE CONSIDERED

Senate File 491, a bill for an act to make appropriations from the general fund and road use tax fund of the state to certain persons in settlement of claims made against the state of Iowa.

Read first time and referred to committee on **appropriations**.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 693**, a bill for an act providing for an individual income tax rebate for 1978 taxes and making an appropriation, and the Senate amendment H-4220 found on page 1979 of the House Journal.

Bruner of Story offered the following amendment H-4225, to the Senate amendment H-4220, filed by Bruner, Avenson and Norland from the floor:

H-4225

- 1 Amend the Senate amendment, H-4220, to House File
- 2 693, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the following:
- 5 " . Page 1, by striking lines 10 through 18
- 6 and inserting in lieu thereof the following:
- 7 "1. The amount of the taxpayer's tax liability
- 8 to the extent the tax liability does not exceed ten
- 9 dollars and fifty cents.
- 10 2. Ten dollars and fifty cents, to the extent
- 11 that the taxpayer's tax liability is greater than
- 12 ten dollars and fifty cents but less than one hundred

13 fifty dollars.

14 3. Seven percent of the taxpayer's liability to
15 the extent the tax liability is one hundred fifty
16 dollars or more, but in no event shall the tax payment
17 exceed one hundred seventy-five dollars under this
18 subsection.

19 4. In addition to the amount of the rebate provided
20 in subsections one (1), two (2), and three (3) of
21 this section, each taxpayer shall receive an additional
22 rebate of five dollars for each personal exemption
23 credit claimed by the taxpayer on the taxpayer's
24 return." "

Conlon of Muscatine rose on a point of order that amendment H-4225 was not germane.

The Speaker ruled the point well taken and amendment H-4225 not germane to the Senate amendment H-4220.

Bruner of Story moved that the rules be suspended to consider and adopt amendment H-4225, to the Senate amendment H-4220.

A non-record roll call was requested.

The ayes were 42, nays 50.

The motion lost.

Rapp of Black Hawk offered the following amendment H-4227, to the Senate amendment H-4220, filed by him from the floor:

H-4227

1 Amend the Senate amendment, H-4220, to House File
2 693 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 6 the following:
5 " . Page 2, line 19, by inserting after the
6 word "provisions" the words and figures "of section
7 one (1) through ten (10)".

8 . Page 2, line 27, by inserting after the word
9 "provisions" the words and figures "of section one
10 (1) through ten (10)".

11 . Page 2, by inserting after line 29 the
12 following:

13 "Sec. 11. Section four hundred twenty-two point
14 four (422.4), Code 1979, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION.

17 a. "Annual inflation factor" means an index,
18 expressed as a percentage, determined by the department
19 on or before May first of each year to reflect the
20 purchasing power of the dollar as a result of inflation
21 or deflation during the preceding calendar year,
22 except that in the 1979 calendar year the department
23 has thirty days after the effective date of this Act
24 to determine the annual inflation factor. In
25 determining the annual inflation factor, the department
26 shall use the annual percent change in the consumer
27 price index produced by the bureau of labor statistics
28 of the United States department of commerce and shall
29 add that percent figure to one hundred percent. The
30 annual inflation factor and the cumulative inflation
31 factor shall each be expressed as a percentage rounded
32 to the nearest one-tenth of one percent.

33 Notwithstanding the provisions of the Iowa
34 administrative procedure act, the department may
35 announce the annual inflation factor without prior
36 notice, and the annual inflation factor shall become
37 effective immediately.

38 b. "Cumulative inflation factor" means the product
39 of the annual inflation factor for the 1978 calendar
40 year and all annual inflation factors for subsequent
41 calendar years as determined pursuant to this
42 subsection. The cumulative inflation factor shall
43 apply to all tax years beginning on or after January
44 first of the calendar year in which the latest annual
45 inflation factor has been determined.

46 c. The annual inflation factor for the 1978
47 calendar year is one hundred percent.

48 Sec. 12. Section four hundred twenty-two point
49 five (422.5), Code 1979, is amended by adding the
50 following new unnumbered paragraph:

Page 2

1 NEW UNNUMBERED PARAGRAPH. Upon determination of
2 the latest cumulative inflation factor, the director
3 shall multiply each dollar amount, including those
4 expressed in the tax brackets, set forth in this
5 section by that cumulative inflation factor and shall
6 round off the resulting product to the nearest one
7 hundred dollars.

8 Sec. 13. Section four hundred twenty-two point
9 nine (422.9), subsection one (1), Code 1979, is amended
10 to read as follows:

11 1. An optional standard deduction of ten percent
12 of the net income after deduction of federal income

13 tax, not to exceed five hundred dollars multiplied
14 by the cumulative inflation factor for a married
15 person who files separately, or one thousand dollars
16 multiplied by the cumulative inflation factor for
17 a single person or a husband and wife who file a joint
18 return.

19 Sec. 14. Section four hundred twenty-two point
20 twelve (422.12), subsection one (1), Code 1979, is
21 amended by adding the following new unnumbered
22 paragraph:

23 **NEW UNNUMBERED PARAGRAPH.** Upon determination of
24 the latest cumulative inflation factor, the director
25 shall multiply each dollar amount set forth in this
26 subsection by that cumulative inflation factor and
27 shall round off the resulting product to the nearest
28 one dollar.

29 Sec. 15. Section four hundred twenty-two point
30 thirteen (422.13), subsections one (1) and two (2),
31 Code 1979, are amended to read as follows:

32 1. Every resident of Iowa who is required to file
33 a federal income tax return under the Internal Revenue
34 Code of 1954, or who has a net income of two thousand
35 dollars multiplied by the cumulative inflation factor
36 or more for the tax year from sources taxable under
37 this division, shall make and sign a return.

38 2. Every nonresident who is required to file a
39 federal income tax return under the Internal Revenue
40 Code of 1954 and who has a net income of two thousand
41 dollars multiplied by the cumulative inflation factor
42 or more for the tax year from sources taxable under
43 this division, shall make and sign a return.

44 Sec. 16. Section four hundred twenty-two point
45 fourteen (422.14), subsection one (1), Code 1979,
46 is amended to read as follows:

47 1. Every fiduciary subject to taxation under the
48 provisions of this division, as provided in section
49 422.6, shall make and sign a return for the individual,
50 estate or trust for whom or for which he or she acts,

Page 3

1 if the taxable income thereof amounts to six hundred
2 dollars multiplied by the cumulative inflation factor
3 or more. A nonresident fiduciary shall file a copy
4 of the federal income tax return for the current tax
5 year with the return required by this section.

6 Sec. 17. Section four hundred twenty-two point
7 twenty-one (422.21), Code 1979, is amended by adding
8 the following new unnumbered paragraph:

9 **NEW UNNUMBERED PARAGRAPH.** The director shall
10 compute the new dollar amounts as required in sections
11 four hundred twenty-two point five (422.5), four

12 hundred twenty-two point nine (422.9), subsection
13 one (1), four hundred twenty-two point twelve (422.12),
14 four hundred twenty-two point thirteen (422.13) and
15 four hundred twenty-two point fourteen (422.14) of
16 the Code by multiplying the dollar amounts specified
17 therein to be adjusted by the cumulative inflation
18 factor, rounding off the result, and incorporating
19 the result into the income tax forms and instructions
20 for each taxable year. The rounding off shall be
21 as follows: the resulting dollar amounts in sections
22 four hundred twenty-two point five (422.5), four
23 hundred twenty-two point thirteen (422.13) and four
24 hundred twenty-two point fourteen (422.14) of the
25 Code to the nearest one hundred dollars and the
26 resulting dollar amounts in sections four hundred
27 twenty-two point nine (422.9), subsection one (1),
28 and four hundred twenty-two point twelve (422.12)
29 of the Code to the nearest one dollar.

30 Sec. 18. The provisions of sections eleven (11)
31 through seventeen (17) of this Act are retroactive
32 to January 1, 1979, for tax years beginning on or
33 after January 1, 1979."

34 . Amend the title, line 2, by inserting after
35 the word "taxes" the words ", indexing the state
36 individual income tax and making those provisions
37 retroactive".

38 . By numbering, renumbering and correcting
39 internal references as required by this amendment."

40 2. By numbering and renumbering as required by this
41 amendment.

West of Marshall rose on a point of order that amendment
H-4227 was not germane.

The Speaker ruled the point well taken and amendment
H-4227 not germane.

Norland of Worth moved that the rules be suspended for the
consideration of amendment H-4227, to the Senate amendment
H-4220.

Roll call was requested by Norland of Worth and Rapp of Black
Hawk.

Rule 80 was invoked.

On the question "Shall the rules be suspended to consider amendment H-4227?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Conlon	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Corey	Crabb	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellet	Pelton
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 7:

Bina	Crawford	Hullinger	Larsen
Poffenberger	Pope	Stromer	

The motion lost.

On motion by Conlon of Muscatine, the House concurred in the Senate amendment H-4220.

Conlon 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 passage which motion prevailed and the bill was read a last time.

Rule 80 was invoked.

On the question "Shall the bill pass?" (H.F. 693)

The ayes were, 82:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Cusack	Daggett	Danker
De Groot	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse.	Hoffmann	Holt	Howell
Hullinger	Hummel	Husak	Jay
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Oxley
Pavich	Pellett	Pelton	Perkins
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	West
Woods	Mr. Speaker		

The nays were, 14:

Arnould	Connors	Davitt	Hall
Halvorson, R.N.	Horn	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Patchett	Welsh		

Absent or not voting, 4:

Bina	Crawford	Dieleman	Poffenberger
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED House Refused to Concur

Menke of O'Brien called up for consideration **House File 680**, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans, and

providing an exemption for certain benefit systems under section six hundred one A point thirteen (601A.13), amended by the Senate amendment H—4145, received from the Senate on April 27 and found on pages 1865 through 1867 of the House Journal, and moved that the House concur in the Senate amendment H—4145.

The motion lost and the House refused to concur in the Senate amendment H—4145.

HOUSE CONCURS

West of Marshall called up for consideration **House File 650**, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made, amended by the Senate amendment H—4148, received from the Senate on April 27 and found on pages 1858 through 1861 of the House Journal.

Krewson of Polk offered the following amendment H—4202, to the Senate amendment H—4148, filed by Krewson, et al. Division was requested as follows:

H—4202

- 1 Amend the Senate amendment H—4148, to House File
- 2 650, as passed and reprinted by the House, as follows:

H—4202A

- 3 1. Page 1, by striking lines 6 and 7 and insert-
- 4 ing in lieu thereof the word "ordinance,".

H—4202B

- 5 2. Page 1, lines 15 and 16, by striking the
- 6 words ", subject to the provisions of section six (6)
- 7 of this Act".

H—4202A

- 8 3. Page 1, lines 32 and 33, by striking the words
- 9 "or the board of supervisors of a county".
- 10 4. Page 1, line 41, by striking the words "or
- 11 resolution".
- 12 5. Page 1, line 43, by striking the words "three
- 13 hundred fifty-eight".
- 14 6. Page 1, by striking line 44.
- 15 7. Page 1, line 45, by striking the words "county,

16 or section".

17 8. Page 1, line 46, by striking the words "in
18 the case of a city".

19 9. Page 1, line 47, by striking the words "or
20 resolution".

21 10. Page 2, line 26, by striking the words "or
22 the board of supervisors of a county".

23 11. Page 2, line 48, by striking the words "or
24 the board of supervisors of a county".

25 12. Page 3, lines 1 and 2, by striking the words
26 "or the board of supervisors, by resolution,".

27 13. Page 3, line 5, by striking the words "or
28 county".

29 14. Page 3, lines 13 and 14, by striking the words
30 "or board of supervisors".

31 15. Page 3, line 16, by striking the words "or
32 the county board of supervisors".

33 16. Page 3, line 18, by striking the words "or
34 county".

35 17. Page 3, line 19, by striking the words "or
36 the county board of supervisors".

H-4202B

37 18. Page 3, line 26, by striking the word "or"
38 and inserting in lieu thereof a period.

39 19. Page 3, by striking line 27 through page 4,
40 line 2.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Howell of Floyd for the remainder of the day on request of Dieleman of Marion.

Krewson of Polk moved the adoption of amendment H-4202A, to the Senate amendment H-4148.

Roll call was requested by Krewson of Polk and Lloyd-Jones of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H-4202A, to the Senate amendment H-4148, be adopted?"

The ayes were, 49:

Anderson, R.
Brandt
Cochran

Arnould
Bruner
Connolly

Avenson
Chiodo
Connors

Binneboese
Clark, J.H.
Cusack

Davitt	Dieleman	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Hullinger	Husak	Jay	Jesse
Jochum	Kirkenslager	Krewson	Larsen
Lloyd-Jones	Loneran	Lorenzen	McKean
Mullins	Norland	O'Kane	Patchett
Pavich	Pelton	Poffenberger	Rapp
Ritsema	Sherzan	Shull	Smalley
Van Maanen	Walter	Wells	Welsh
Woods			

The nays were, 48:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Diemer
Doyle	Egenes	Evans	Gettings
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Lageschulte	Lind
Lura	Maulsby	Menke	Miller
Oxley	Pellet	Perkins	Pope
Schneklloth	Schroeder	Shimanek	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Welden	West	Mr. Speaker

Absent or not voting, 3:

Bina	Crawford	Howell
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Amendment H—4202A was adopted.

On motion by Krewson of Polk, amendment H—4202B, to the Senate amendment H—4148, was adopted.

With the adoption of amendment H—4202A, the Speaker ruled amendment H—4221 (to the Senate amendment H—4148) filed by Perkins of Greene on May 1, 1979 out of order.

Anderson of Jasper offered the following amendment H—4228, to the Senate amendment H—4148, filed by him from the floor:

H—4228

- 1 Amend the Senate amendment H—4148, to House File
- 2 650, as amended, passed, and reprinted by the
- 3 House as follows:
- 4 1. Page 1, by striking lines 19 through 31 and
- 5 inserting in lieu thereof the following:

6 "existing buildings and structures. Reconstruction
7 of an existing building or structure shall not be
8 eligible for a partial exemption from property taxes
9 unless such reconstruction constitutes a complete
10 replacement of an existing building or structure or
11 a complete refitting of an existing building or
12 structure. However, the requirement for a complete
13 replacement or refitting may be waived if such
14 reconstruction is required due to economic obso-
15 lescence, is necessary to implement recognized
16 industry standards for the manufacturing and
17 processing of specific products and is required for
18 the owner of the building or structure to continue
19 to competitively manufacture or process those
20 products. The determination of such waiver shall
21 receive prior approval from".

Brandt of Black Hawk offered the following amendment H-4231, to amendment H-4228 (to the Senate amendment H-4148) filed by her from the floor and moved its adoption:

H-4231

1 Amend amendment H-4228 to Senate amendment
2 H-4148 to House File 650 as amended, passed and
3 reprinted by the House, as follows:
4 1. Page 1, line 16, by striking the word "and"
5 and inserting in lieu thereof the word "or".

Amendment H-4231 was adopted.

On motion by Anderson of Jasper, amendment H-4228, as amended, was adopted.

Norland of Worth offered the following amendment H-4234, to the Senate amendment H-4148, filed by him from the floor and moved its adoption:

H-4234

1 Amend the Senate amendment H-4148 to House File
2 650, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, line 48, by inserting after the word
5 "time" the words ", not to exceed five years,".

Amendment H-4234 was adopted.

On motion by West of Marshall, the House concurred in the Senate amendment H—4148, as amended.

West of Marshall 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 650)

The ayes were, 74:

Anderson, J.	Bennett	Binneboese	Brandt
Branstad	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Horn	Hummel	Husak	Johnson, J.
Johnson, R.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	West
Woods	Mr. Speaker		

The nays were, 21:

Anderson, R.	Arnould	Avenson	Bruner
Byerly	Connolly	Connors	Cusack
Davitt	Groth	Halvorson, R.N.	Hinkhouse
Hullinger	Jay	Jesse	Jochum
Johnson, W.	Lloyd-Jones	Loneragan	Rapp
Welsh			

Absent or not voting, 5:

Bina	Crawford	Harbor	Howell
Wells			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 650)

West of Marshall asked and received unanimous consent to immediately message House File 650 to the Senate.

Anderson of Audubon called up for consideration **House File 450**, a bill for an act relating to the responsibilities of a person who acquires a railroad right-of-way outside of a city or contiguous to agricultural land in a city, amended by the Senate amendment H-4147, received from the Senate on April 27 and found on page 1858 of the House Journal.

Perkins of Greene offered the following amendment H-4219, to the Senate amendment H-4147, filed by him and moved its adoption:

H-4219

- 1 Amend the Senate amendment H-4147 to House File
- 2 450, as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 9 through 12.
- 5 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 22, nays 64.

Amendment H-4219 lost.

On motion by Anderson of Audubon, the House concurred in the Senate amendment H-4147.

Anderson of Audubon 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. 450)

The ayes were, 92:

Anderson, J.
Binneboese

Anderson, R.
Brandt

Avenson
Branstad

Bennett
Bruner

Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pavich
Pellett	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welsh	West	Woods	Mr. Speaker

The nays were, 2:

O'Kane Pelton

Absent or not voting, 6:

Arnould	Bina	Crawford	Howell
Welden	Wells		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Pelton of Clinton called up for consideration **House File 2**, a bill for an act increasing the maximum lending limit of a small loan company to three thousand dollars and changing the maximum interest rates that may be charged on such loans, amended by the Senate amendment H-4146, received from the Senate on April 27 and found on page 1857 of the House Journal.

Bruner of Story offered the following amendment H-4168, to the Senate amendment H-4146, filed by him:

H-4168

- 1 Amend the Senate amendment, H-4146, to House File
- 2 2 as amended, passed and reprinted by the House as

3 follows:

4 1. Page 1, by inserting after line 6 the follow-
5 ing:

6 "3. Page 1, by inserting after line 29 the follow-
7 ing:

8 "A licensee under this chapter who also holds a
9 license issued under chapter five hundred thirty-six
10 A (536A) of the Code shall not make a loan under the
11 provisions of this chapter unless requested to do
12 so by the prospective borrower after the licensee
13 has disclosed in writing to the prospective borrower
14 the terms and conditions of the loan if made under
15 this chapter and the terms and conditions of the
16 loan if made under the provisions of chapter five
17 hundred thirty-six A (536A) of the Code." "

Schroeder of Pottawattamie rose on a point of order that amend-
ment H—4168 was not germane.

The Speaker ruled the point well taken and amendment
H—4168 not germane to the Senate amendment H—4146.

Rapp of Black Hawk asked and received unanimous consent to
temporarily defer action on amendment H—4169.

Jochum of Dubuque offered the following amendment H—4170,
to the Senate amendment H—4146, filed by him and Bruner of Story
and moved its adoption:

H—4170

1 Amend the Senate amendment, H—4146, to House File
2 2, as amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 7 and 8 and inserting
5 in lieu thereof the following:

6 " Page 2, by striking lines 1 through 11 and
7 inserting in lieu thereof the following:

8 "of small loans shall be three thirty percent
9 per month year on any part of the unpaid principal
10 balance of the loan not exceeding one two hundred
11 fifty dollars and ~~two~~ twenty-four percent per month
12 year on any part of the loan in excess of one two
13 hundred fifty dollars, but not exceeding three
14 four hundred dollars, and ~~one and one half~~ eighteen
15 percent per month year on any part of the unpaid
16 principal balance of the loan in excess of three
17 four hundred dollars, but not exceeding seven hundred

18 two thousand dollars, and one percent per month on any
 19 part of the unpaid principal balance of the loan in
 20 excess of seven hundred dollars." "

Roll call was requested by Jochum of Dubuque and Binneboese of Plymouth.

On the question "Shall amendment H—4170 be adopted?"

The ayes were, 36:

Avenson	Binneboese	Brandt	Bruner
Byerly	Chiodo	Cochran	Connolly
Connors	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Jay	Jesse
Jochum	Kirkenslager	Lloyd-Jones	Lonergan
McKean	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Spear	Walter	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Höffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lind
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 11:

Anderson, R.	Arnould	Bina	Egenes
Hinkhouse	Howell	Hullinger	Lageschulte
Larsen	Perkins	Wells	

Amendment H—4170 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer, for the remainder of the day, on request of Halvorson of Clayton.

Rapp of Black Hawk asked and received unanimous consent to withdraw amendment H—4169, to the Senate amendment H—4146, filed by him on April 27, 1979.

Pelton of Clinton moved that the House concur in the Senate amendment H—4146.

Roll call was requested by Rapp of Black Hawk and Jochum of Dubuque.

Rule 80 was invoked.

On the question "Shall the House concur in the Senate amendment H—4146?"

The ayes were, 52:

Anderson, J.	Bennett	Brandt	Branstad
Byerly	Clark, B.J.	Clark, J.H.	Conlon
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lind	Lonergan	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellett
Pelton	Perkins	Poffenberger	Schneklath
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 43:

Anderson, R.	Arnould	Avenson	Binneboese
Bruner	Chiodo	Cochran	Connolly
Connors	Corey	Cusack	Davitt
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Hullinger
Husak	Jay	Jesse	Jochum
Krewson	Larsen	Lloyd-Jones	McKean
Miller	Norland	O'Kane	Oxley

Patchett	Pavich	Pope	Rapp
Ritsema	Sherzan	ShimaneK	Spear
Walter	Welsh	Woods	

Absent or not voting, 5:

Bina	Hinkhouse	Howell	Lageschulte
Wells			

The motion prevailed and the House concurred in the Senate amendment H—4146.

Pelton of Clinton 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. 2)

The ayes were, 59:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hullinger
Hummel	Jay	Johnson, J.	Johnson, R.
Krewson	Larsen	Lind	Lonergan
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	Norland	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Schneklath	Schroeder	ShimaneK
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 36:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chjodo
Connolly	Connors	Cusack	Davitt
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Husak
Jesse	Jochum	Johnson, W.	Kirkenslager
Lloyd-Jones	McKean	O'Kane	Oxley
Patchett	Pavich	Ritsema	Sherzan
Spear	Walter	Welsh	Woods

Absent or not voting, 5:

Bina
Wells

Hinkhouse

Howell

Lageschulte

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MOTIONS TO RECONSIDER
(House File 693)

I move to reconsider the vote by which House File 693 passed the House on May 2, 1979.

HALVORSON of Clayton

(House File 2)

I move to reconsider the vote by which House File 2 passed the House on May 2, 1979.

RAPP of Black Hawk

UNANIMOUS CONSENT CALENDAR
(House Resolution 37)

We hereby respectfully request that House Resolution 37, filed on Tuesday, May 1, 1979 and found on page 1963 of the House Journal, be placed on the unanimous consent calendar.

DIEMER of Black Hawk
MILLER of Buchanan
WELLS of Linn

**APPOINTMENTS TO THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**

Speaker Millen announced the reappointment of Representatives Betty Jean Clark of Cerro Gordo County and Laverne W. Schroeder of Pottawattamie County and the appointment of Representative John E. Patchett of Johnson County to the Administrative Rules Review Committee to terms expiring April 30, 1983, pursuant to Section 17A.8 of the Code.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifty students from Stuart-Menlo High School, Stuart, Iowa, accompanied by Mr. Foy. By Poffenberger of Dallas.

Seventy students from Waukee Middle School, Waukee, Iowa, accompanied by Al Molby, Bill Drummon, Peggy Liston and Peggy Olbrecht. By Poffenberger of Dallas.

Sixty eighth grade students from Grimes Junior High School, Grimes, Iowa, accompanied by Bill Wineland. By Krewson of Polk.

Forty sixth grade students from Rex Mathes Elementary School, West Des Moines, Iowa, accompanied by Char Nelson and Marvis Olson. By Thompson of Polk.

One hundred one students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Mr. Steve Schwemm and Al Sinnwell. By Avenson of Fayette.

Fifty students from Bennett Community School, Bennett, Iowa, accompanied by Bill Huckstadt and Craig Wilford. By Hinkhouse of Cedar.

Nineteen sixth grade students from United Community Elementary School, Boone, Iowa, accompanied by Barbara Richardson. By Lonergan of Boone.

Fifty twelfth grade students from Valley High School, Elgin, Iowa, accompanied by Derryl D. Lenhart. By Tofte of Winneshiek, Hanson of Delaware and Halvorson of Clayton.

Sixty students from Dowling High School, West Des Moines, Iowa, accompanied by Mrs. Janet Downey. By Thompson of Polk.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on May 2. Had I been present, I would have voted "aye" on House File 693.

POFFENBERGER of Dallas

STUDY BILL COMMITTEE ASSIGNMENT**S.B. 238 Ways and Means**

Relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act relating to the administration and financing of current programs under the jurisdiction of the department of social services.

Recommended Do Pass.

Committee Bill, a bill for an act relating to the responsibilities of the department of social services' division of adult corrections for administration of the interstate corrections compact, for determinations regarding admission and discharge of patients of the security medical facility, and for supervision of jails.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

House File 750, a bill for an act to legalize and validate the proceedings of the city of Keokuk in Lee county, in connection with the vacation of the alley in Block Ten (10), Reeves, Perry and Williams Addition to the city of Keokuk, Lee county, Iowa.

Recommended Do Pass.

House File 751, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Recommended Do Pass.

House File 752, a bill for an act to legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth.

Recommended Do Pass.

Senate File 9, a bill for an act relating to motor fuel tax credits.

Recommended Amend and Do Pass.

H-4233

- 1 Amend Senate File 9, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, lines 1 and 2, by striking the word
- 4 and figure "eighty-six (422.86)" and inserting in
- 5 lieu thereof the words and figure "one hundred ten
- 6 (422.110)".

Senate File 39, a bill for an act relating to the treatment of free newspapers and shoppers guides under the state sales tax.

Recommended Do Pass.

Senate File 321, a bill for an act to increase the interest rate payable to redeem real estate sold for delinquent taxes.

Recommended Do Pass.

Committee Bill (Formerly House File 196), a bill for an act allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H-4224	H.F. 418	Crawford of Story
H-4229	S.F. 489	Brandt of Black Hawk
H-4230	S.F. 485	Groth of Buena Vista
Husak of Tama		O'Kane of Woodbury
Cconnolly of Dubuque		Jochum of Dubuque
Arnould of Scott		Binneboese of Plymouth
Bina of Scott		Cusack of Scott
Horn of Linn		Dieleman of Marion
Welsh of Dubuque		Patchett of Johnson
Avenson of Fayette		
H-4235	H.F. 755	Smalley of Polk
		Conlon of Muscatine
		Johnson of Howard
		Lura of Marshall
H-4236	H.F. 754	Hibbs of Johnson

H-4237	H.F. 749	Kirkenslager of Des Moines
H-4238	H.F. 754	Daggett of Taylor
H-4239	H.F. 747	Evans of Grundy
H-4240	H.F. 755	Clark of Cerro Gordo
		Popé of Polk
H-4241	H.F. 755	Daggett of Taylor
H-4242	H.F. 754	Tyrrell of Iowa
H-4243	H.F. 172	Welsh of Dubuque
H-4244	H.F. 172	Connolly of Dubuque
H-4245	H.F. 755	Tyrrell of Iowa
		Chiodo of Polk
		Branstad of Winnebago
		Lind of Black Hawk
H-4246	H.F. 693	Conlon of Muscatine
		Halvorson of Clayton
		West of Marshall
		Welden of Hardin

On motion by Halvorson of Clayton the House adjourned at 5:59 p.m., until 9:00 a.m., Thursday, May 3, 1979.

JOURNAL OF THE HOUSE

One Hundred Sixteenth Calendar Day—Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 3, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Father Thomas Nash, pastor of the Sacred Heart Catholic Church, Boone, Iowa.

The Journal of Wednesday, May 2, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. C. P. Hawkins, Clarion, Iowa.

PETITION FILED

The following petition was received and placed on file:

By Groth of Buena Vista, from five hundred seventeen Student Iowa State Education Association members favoring legislation to avoid the negative impact of declining enrollment on school budgets, on House File 660, an act relating to the financing of elementary and secondary schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jay of Appanoose for a portion of the morning session on request of Shull of Warren; Gettings of Wapello on request of Lind of Black Hawk; Lageschulte of Bremer on request of Halvorson of Clayton; Howell of Floyd for the morning session on request of Dieleman of Marion.

INTRODUCTION OF BILL

House File 756, by committee on ways and means, a bill for an act allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation or to individuals who hold an interest in a horizontal property regime under chapter four hundred ninety-nine B (499B) of the Code.

Read first time and placed on the ways and means 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, on May 1, 1979, insisted on its amendment to House File 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service, and the members of the conference committee on the part of the Senate, appointed May 2, 1979, are: The Senator from Linn, Senator Kudart, Chair; the Senator from Boone, Senator Nystrom; the Senator from Dallas, Senator Rodgers; the Senator from Linn, Senator Rush; and the Senator from Jefferson, Senator Schwengels.

Also: That the Senate has on May 1, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 93, a bill for an act relating to the use of diagnostic pharmaceutical agents by optometrists.

Also: That the Senate has on May 1, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 164, a bill for an act relating to the movement of vehicles of excessive size by permit subject to penalties provided by law.

Also: That the Senate has on May 1, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 462, a bill for an act relating to juvenile justice provisions of the Code.

FRANK J. STORK, Secretary

QUORUM CALL

Roll call was requested by West of Marshall and Hoffmann of Muscatine to determine that a quorum was present.

Present: 85

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Egenes	Evans	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.

Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Hummel	Husak	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	O'Kane
Oxley	Pavich	Pellett	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Smalley	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

Absent: 15

Arnould	Bina	Chiodo	Doyle
Gettings	Howell	Jay	Jesse
Lageschulte	Norland	Patchett	Pelton
Sherzan	Spear	Stromer	

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 1, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies, with report of committee recommending amendment and passage was taken up for consideration.

Daggett of Taylor offered amendment H—4212 filed by the committee on ways and means on May 1, 1979 and found on pages 1983 and 1984 of the House Journal.

Lloyd-Jones of Johnson offered the following amendment H—4248, to the committee amendment H—4212, filed by her from the floor:

H—4248

- 1 Amend the Committee amendment, H—4212, to Senate
- 2 File 1 as follows:
- 3 1. Page 1, line 31, by inserting after the word
- 4 "public." the following: "Revenues made available
- 5 from this tax may be used to pay the costs of
- 6 referendums for the establishment of historical
- 7 preservation districts in counties and incorporated
- 8 areas held pursuant to section three hundred three

9 point twenty-three (303.23) of the Code. The board
10 may forward the funds to the county commissioner
11 of elections, however if the funds are insufficient
12 to cover the cost of a referendum the difference
13 shall be covered from private sources."

Johnson of Woodbury rose on a point of order that amendment H—4248 was not germane.

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on Senate File 1.

(The point of order on amendment H—4248 pending.)

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent for consideration of bills in the following order: House Files 754 and 755 and Senate File 51.

APPROPRIATIONS CALENDAR

House File 754, a bill for an act relating to the responsibilities of the department of social services' division of adult corrections for administration of the interstate corrections compact, for determinations regarding admission and discharge of patients of the security medical facility, and for supervision of jails, was taken up for consideration.

Tyrrell of Iowa offered the following amendment H—4242 filed by him and moved its adoption:

H—4242

- 1 Amend House File 754 as follows:
- 2 1. Page 1, line 8, by striking the words
- 3 "best interests" and inserting in lieu thereof the
- 4 words "best interests punishment".

Roll call was requested by Tyrrell of Iowa and Johnson of Howard.

On the question "Shall amendment H—4242 be adopted?"

The ayes were, 28:

Anderson, J.	Branstad	Chiodo	Conlon
Corey	Crabb	Danker	Dieleman
Diemer	Evans	Hansen, I.	Harbor
Hibbs	Johnson, J.	Johnson, R.	Kirkenslager
Lind	Lura	Maulsby	Menke
Pellett	Kitsema	Smalley	Stromer
Tofte	Tyrrell	Woods	Mr. Speaker

The nays were, 58:

Anderson, R.	Arnould	Avenson	Bennett
Binneboese	Brandt	Bruner	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Connolly
Connors	Crawford	Daggett	Davitt
De Groot	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Husak	Jochum	Johnson, W.	Krewson
Larsen	Lloyd-Jones	Lonergan	Lorenzen
McKean	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pelton
Poffenberger	Pope	Rapp	Schneklath
Sherzan	Shimanek	Shull	Swearingen
Thompson	Van Maanen	Walter	Wells
Welsh	West		

Absent or not voting, 14:

Bina	Cusack	Doyle	Egenes
Gettings	Howell	Jay	Jesse
Lageschulte	Patchett	Perkins	Schroeder
Spear	Welden		

Amendment H—4242 lost.

Hibbs of Johnson offered the following amendment H—4236 filed by him and moved its adoption:

H—4236

- 1 Amend House File 754 as follows:
- 2 1. Page 1, by striking lines 12 through 22.
- 3 2. Page 1, by striking lines 23 through 28.

A non-record roll call was requested.

The ayes were 18, nays 71.

Amendment H—4236 lost.

Daggett of Taylor offered the following amendment H—4238 filed by him and moved its adoption:

H—4238

- 1 Amend House File 754 as follows:
- 2 1. Page 2, line 5, by striking the word
- 3 "central" and inserting in lieu thereof the word
- 4 "general".

Amendment H—4238 was adopted.

Doyle of Woodbury offered the following amendment H—4264 filed by him from the floor:

H—4264

- 1 Amend House File 754 as follows:
- 2 1. Page 2, by inserting after line 2 the following:
- 3 "Sec. . Section three hundred fifty-six point
- 4 forty-three (356.43), unnumbered paragraph one (1),
- 5 Code 1979, is amended to read as follows:
- 6 356.43 INSPECTION BY DEPARTMENT—REPORT OF
- 7 INSPECTION. The state department of social services
- 8 shall have general charge and supervision of the pro-
- 9 visions of sections ~~356.37 to 356.44~~. The state de-
- 10 partment of social services and its inspectors and
- 11 agents shall have the power and duty to make periodic
- 12 inspections of each such jail and all such facilities
- 13 established pursuant to chapter 356A, and officially
- 14 to notify the county board of supervisors in writing
- 15 to comply fully with the provisions of sections ~~356.37~~
- 16 ~~to 356.44~~ section four (4) of this Act.
- 17 Sec. . Section three hundred fifty-six point
- 18 thirty-seven (356.37), three hundred fifty-six point
- 19 thirty-eight (356.38), three hundred fifty-six point
- 20 thirty-nine (356.39), three hundred fifty-six point
- 21 forty (356.40), three hundred fifty-six point forty-
- 22 one (356.41), and three hundred fifty-six point forty-
- 23 two (356.42), Code 1979, are repealed."

The following amendment H—4267, to amendment H—4264, filed by Doyle of Woodbury from the floor was adopted by unanimous consent:

H—4267

- 1 Amend amendment H—4264 to House File 754 as
- 2 follows:
- 3 1. Page 1, by striking lines 6 and 7 and
- 4 inserting in lieu thereof the following:
- 5 "The state department of social services".

Doyle of Woodbury moved the adoption of amendment H—4264, as amended.

Amendment H—4264, as amended, was adopted.

Daggett of Taylor 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. 754)

The ayes were, 82:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, R.	Johnson, W.	Kirkenslager	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Norland	Oxley	Patchett	Pavich
Pellet	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimaneck	Shull	Stromer
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 4:

Hibbs	Johnson, J.	Smalley	Tyrrell
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Absent or not voting, 14:

Bina	Cochran	Evans	Gettings
Howell	Jay	Krewson	Lageschulte
Larsen	Mullins	O'Kane	Pelton
Spear	Swearingen		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 755, a bill for an act relating to the administration and financing of current programs under the jurisdiction of the department of social services, was taken up for consideration.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions thereto on House File 755.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 50, nays 35.

The motion having failed to receive a constitutional majority lost.

Anderson of Jasper offered the following amendment H—4247 filed by him from the floor and moved its adoption:

H—4247

- 1 Amend House File 755 as follows:
- 2 1. Page 1, lines 14 and 15, by striking the words
- 3 and figure "eighty-five thousand (85,000)" and
- 4 inserting in lieu thereof the words and figure "fifty
- 5 thousand (50,000)".

Roll call was requested by Clark of Lee and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H—4247 be adopted?"

The ayes were, 52:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Branstad	Bruner	Byerly
Chiodo	Cochran	Conlon	Connolly
Connors	Cusack	Davitt	Dieleman
Doyle	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hibbs	Horn	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, R.	Johnson, W.	Lloyd-Jones	Lonergan
Lorenzen	Lura	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Pope	Rapp	Ritsema
Schnekloth	Smalley	Tofte	Tyrrell
Walter	Wells	Welsh	Woods

The nays were, 40:

Anderson, J.	Bennett	Clark, B.J.	Clark, J.H.
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Halvorson, R.A.	Hansen, I.	Harbor	Hinkhouse
Hoffmann	Holt	Hummel	Johnson, J.
Kirkenslager	Krewson	Larsen	Lind
Maulsby	McKean	Menke	Pellett
Pelton	Poffenberger	Schroeder	Shimanek
Shull	Stromer	Swearingen	Thompson
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 8:

Bina	Evans	Gettings	Howell
Lageschulte	Miller	Sherzan	Spear

Amendment H—4247 was adopted.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions thereto on House File 755.

Roll call was requested by Harbor of Mills and Danker of Pottawattamie.

Rule 80 was invoked.

On the question "Shall the previous question motion prevail?"

The ayes were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrell	Van Maanen	Welden
West	Mr. Speaker		

The nays were, 38:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Walter	Wells
Welsh	Woods		

Absent or not voting, 8:

Bina	Doyle	Evans	Gettings
Howell	Hullinger	Lageschulte	Spear

The motion prevailed.

Anderson of Jasper offered the following amendment H—4250 filed by him from the floor and moved its adoption:

H—4250

- 1 Amend House File 755 as follows:
- 2 1. Page 2 by striking line 15 and inserting in
- 3 lieu thereof the following:
- 4 "neous purposes.....\$14,500,000 \$14,500,000"
- 5 2. Page 3, line 2 by striking the word "eighty" and
- 6 inserting in lieu thereof the word "thirty".

Roll call was requested by Anderson of Jasper and O'Kane of Woodbury.

On the question "Shall amendment H—4250 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Binneboese
Branstad	Chiodo	Cochran	Conlon
Connolly	Connors	Cusack	Davitt
Dieleman	Groth	Hall	Hibbs
Horn	Hummel	Husak	Jay
Jesse	Johnson, J.	Johnson, R.	Loneragan
Lorenzen	Lura	Maulsby	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Schnekloth	Smalley
Tyrrell	Walter	Wells	Welsh
Woods			

The nays were, 50:

Anderson, J.	Bennett	Brandt	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Doyle	Egenes
Evans	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hinkhouse	Hoffmann
Holt	Jochum	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
McKean	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schroeder
Sherzan	Shimanek	Shull	Stromer
Swearingen	Thompson	Tofte	Van Maanen
West	Mr. Speaker		

Absent or not voting, 9:

Bina	Gettings	Howell	Hullinger
Lageschulte	Poffenberger	Rapp	Spear
Welden			

Amendment H—4250 lost.

Bruner of Story offered the following amendment H—4254 filed by him from the floor and moved its adoption:

H—4254

- 1) Amend House File 755, page 4, by inserting
- 2 after line 8 the following new paragraph:
- 3 "4. It is the intent of the general assembly
- 4 that the maximum enrollment at the three state
- 5 juvenile institutions for the fiscal year be-

6 ginning July 1, 1979 shall be three hundred fifty
7 juveniles. The department shall promulgate rules
8 which will set the populations at the three juv-
9 enile institutions and which will reflect the
10 intent of the general assembly that community-
11 based alternatives to institutionalization be
12 offered to juveniles who are able to benefit
13 from such community programs."

A non-record roll call was requested.

The ayes were 18, nays 67.

Amendment H — 4254 lost.

(House File 755 pending at recess.)

CONFERENCE COMMITTEE APPOINTED
(House File 706)

The Speaker announced the appointment of the following members to consider the differences between the House and Senate concerning House File 706: Hoffmann of Muscatine, Chair; Dieleman of Marion, Jesse of Polk, Lura of Marshall and Smalley of Polk.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Perkins of Greene for the afternoon session on request of Brandt of Black Hawk.

On motion by Halvorson of Clayton the House was recessed at 12:12 p.m. until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

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 on April 30, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 494, a bill for an act relating to state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and providing for an interim study.

FRANK J. STORK, Secretary

SENATE MESSAGE CONSIDERED

Senate File 494, a bill for an act relating to the state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and the personal exemption credits, providing for an interim study of income tax indexation, and making certain provisions of the Act retroactive.

Read first time and referred to committee on **ways and means**.

QUORUM CALL

Roll call was requested by Schnekloth of Scott and De Groot of Lyon to determine that a quorum was present. Rule 80 was invoked.

Present, 71:

Anderson, J.	Bennett	Binneboese	Branstad
Bruner	Byerly	Chiodo	Cochran
Conlon	Connolly	Corey	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Gettings	Groth
Hall	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hullinger	Hummel	Husak	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Pavich	Pellett
Pelton	Pope	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Welsh	Mr. Speaker	

Absent, 29:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Clark, B.J.	Clark, J.H.	Connors
Crabb	Danker	Doyle	Egenes
Evans	Halvorson, R.N.	Hanson, D.	Horn

Howell
O'Kane
Rapp
Woods

Jay
Patchett
Spear

Lageschulte
Perkins
Wells

Lura
Poffenberger
West

BUSINESS PENDING

The House resumed consideration of **House File 755**, a bill for an act relating to the administration and financing of current programs under the jurisdiction of the department of social services.

Johnson of Howard offered the following amendment H—4269 filed by Johnson of Howard, Tyrrell and Danker from the floor and requested a ruling as to whether or not amendment H—4269 was germane.

H—4269

- 1 Amend House File 755 as follows:
- 2 1. Page 5, by inserting after line 16 the follow-
- 3 ing:
- 4 "It is the intent of the General Assembly to con-
- 5 sider during the 1980 Session of the Sixty-eighth
- 6 General Assembly legislation providing for the
- 7 imposition of the death penalty for the commission
- 8 of willful, deliberate and premeditated murder, and
- 9 that the state penitentiary at Fort Madison use funds
- 10 appropriated under this subsection to begin planning
- 11 for the steps necessary to implement the death penalty
- 12 should it be enacted and imposed."

The Speaker ruled the point well taken and amendment H—4269 not germane.

Daggett of Taylor offered the following amendment H—4241 filed by him and moved its adoption:

H—4241

- 1 Amend House File 755 as follows:
- 2 1. Page 7, line 4, by striking the words "June
- 3 30, 1980" and inserting in lieu thereof the words
- 4 funds have been appropriated".
- 6 2. Page 17, line 10, by striking the word "The"
- 7 and inserting in lieu thereof the words "If the
- 8 United States department of health, education and
- 9 welfare regulations allow such a policy, the".

- 10 3. Page 17, by striking lines 22 through 25
- 11 and inserting in lieu thereof the word "marriage."
- 12 4. Page 20, line 9, by striking the word
- 13 "childrens" and inserting in lieu thereof the
- 14 word "children's".

Amendment H — 4241 was adopted.

Brandt of Black Hawk offered the following amendment H — 4249 filed by her from the floor and moved its adoption:

H — 4249

1 Amend House File 755 as follows:

- 2 1. Page 7, by striking line 30 and inserting
- 3 in lieu thereof the following:
- 4 "corrections \$8,992,500 \$9,740,550"

A non-record roll call was requested.

The ayes were 32, nays 47.

Amendment H — 4249 lost.

Horn of Linn offered the following amendment H — 4263 filed by him from the floor:

H — 4263

1 Amend House File 755 as follows:

- 2 1. Page 8, by inserting after line 1 the following:
- 3 "Notwithstanding section nine hundred five point
- 4 seven (905.7), subsection one (1) of the Code, no
- 5 judicial district department of correctional services
- 6 shall use any of the funds appropriated by this section
- 7 to pay the salary of any individual who provides
- 8 pretrial release evaluation services. The department
- 9 of social services shall reduce the allocation of
- 10 funds to the respective judicial district departments
- 11 of correctional services, made under section nine
- 12 hundred five point eight (905.8) of the Code, in
- 13 accordance with the restriction imposed by this
- 14 paragraph. The amounts appropriated by this subsection
- 15 which are not allocated to the judicial district
- 16 departments of correctional services by reason of
- 17 this paragraph shall revert to the general fund of
- 18 the state on June thirtieth of the fiscal year for
- 19 which the appropriation is made."

Daggett of Taylor rose on a point of order that amendment H—4263 was not germane.

The Speaker ruled the point not well taken and amendment H—4263 germane.

Horn of Linn moved the adoption of amendment H—4263.

Roll call was requested by Horn of Linn and Woods of Polk.

On the question "Shall amendment H—4263 be adopted?"

The ayes were, 8:

Binneboese	Byerly	Chiodo	Horn
Husak	Tyrrell	Welsh	Woods

The nays were, 78:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Brandt	Bruner	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hummel	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Loneragan	Lorezen	Lura
Maulsby	McKean	Menke	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Swearingen	Thompson	Tofte
Van Maanen	Walter	Welden	Wells
West	Mr. Speaker		

Absent or not voting, 14:

Bina	Branstad	Clark, B.J.	Hansen, I.
Howell	Hullinger	Lageschulte	Larsen
Lind	Lloyd-Jones	Mullins	Perkins
Spear	Stromer		

Amendment H—4263 lost.

Smalley of Polk offered the following amendment H—4235 filed by Smalley, et al., and moved its adoption:

H—4235

- 1 Amend House File 755 as follows:
- 2 1. Page 8, by striking lines 16 through 24.

Roll call was requested by Johnson of Howard and Tyrrell of Iowa.

On the question "Shall amendment H—4235 be adopted?"

The ayes were, 28:

Anderson, J.	Branstad	Chiodo	Conlon
Crabb	Danker	Evans	Hibbs
Horn	Husak	Jay	Johnson, J.
Johnson, R.	Kirkenslager	Lind	Lorenzen
Lura	Maulsby	Pellett	Pope
Ritsema	Schneklath	Smalley	Swearingen
Tyrrell	Walter	Welsh	Woods

The nays were, 59:

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Connolly	Connors	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hinkhouse	Hoffmann
Holt	Hullinger	Hummel	Jesse
Jochum	Johnson, W.	Krewson	Larsen
Lloyd-Jones	Loneragan	McKean	Menke
Miller	Mullins	Norland	O'Kane
Patchett	Pavich	Pelton	Poffenberger
Schroeder	Sherzan	Shimanek	Shull
Stromer	Thompson	Tofte	Van Maanen
Welden	Wells	Mr. Speaker	

Absent or not voting, 13:

Arnould	Bina	Cochran	Corey
Halvorson, R.A.	Harbor	Howell	Lageschulte
Oxley	Perkins	Rapp	Spear
West			

Amendment H—4235 lost.

Smalley of Polk in the chair at 2:35 p.m.

Bruner of Story offered amendment H—4256 filed by him from the floor and requested division as follows:

H—4256

1 Amend House File 755 as follows:

H—4256A

2 1. Page 9, line 31, by striking the figure
3 "\$28,250,000" and inserting in lieu thereof the
4 figure "\$28,150,000".

H—4256B

5 2. Page 11, by inserting after line 21 the
6 following new paragraph:
7 "7. It is the intent of the general assembly
8 that the proposed upgrading and expansion of
9 staffing at the four mental health institutes be
10 phased-in over the biennium, with up to one-half
11 of the proposed staff upgrading and expansion
12 occurring in the fiscal year beginning July 1,
13 1979 and with the remaining proposed staff up-
14 grading and expansion occurring in the fiscal
15 year beginning July 1, 1980."

Bruner of Story moved the adoption of amendment H—4256A.

A non-record roll call was requested.

The ayes were 55, nays 31.

Amendment H—4256A was adopted.

On motion by Bruner of Story, amendment H—4256B was adopted.

Clark of Cerro Gordo offered amendment H—4240 filed by her and Pope of Polk.

Division was requested as follows:

H—4240

1 Amend House File 755 as follows:

H-4240A

- 2 1. Page 12, by striking line 33 and inserting:
 3 in lieu thereof the following:
 4 "pendent children.....\$47,130,000 \$47,100,000".

H-4240B

- 5 2. Page 14, by striking line 15 and inserting
 6 in lieu thereof the following:
 7 "expelled.....\$88,260,000 \$95,350,000".

H-4240C

- 8 3. Page 16, by striking lines 13 through 24
 9 and inserting in lieu thereof the following:
 10 "1. It is the intent of the general assembly
 11 that the schedule of living costs and the payment for
 12 persons on the aid to dependent children program shall
 13 be increased for all family sizes by six percent
 14 commencing October 1, 1979 and by an additional six
 15 percent commencing October 1, 1980.
 16 2. It is the intent of the general assembly that
 17 assistance shall be granted under chapter two hundred
 18 thirty-nine (239) of the Code to an expectant
 19 mother experiencing her first pregnancy and in the
 20 last trimester of pregnancy if she meets other income
 21 and resource standards for the aid to dependent chil-
 22 dren program. The mother and fetus together shall
 23 be treated as a one-person family with assistance
 24 payable to the mother as an eligible group of one.
 25 The department of social services shall promulgate
 26 rules and regulations, pursuant to chapter seventeen
 27 A (17A) of the Code to implement this subsection
 28 on October 1, 1979."

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Howell of Floyd, for the remainder of the day, on request of Dieleman of Marion;
 Spear of Lee, for May 3 and 4, on request of Miller of Buchanan.

Clark of Cerro Gordo asked and received unanimous consent to temporarily defer action on amendments H-4240A and H-4240B for the consideration of amendment H-4240C.

Clark of Cerro Gordo moved the adoption of amendment H-4240C.

Roll call was requested by Lloyd-Jones of Johnson and Anderson of Jasper.

Rule 80 was invoked.

On the question "Shall amendment H—4240C be adopted?"

The ayes were, 55:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Connolly	Connors
Crawford	Cusack	Davitt	De Groot
Dieleman	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hibbs	Horn	Hullinger	Jay
Jochum	Kirkenslager	Krewson	Larsen
Lloyd-Jones	Lonergan	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pelton	Poffenberger
Pope	Rapp	Schroeder	Sherzan
Shimanek	Thompson	Tofte	Walter
Wells	Welsh	Woods	

The nays were, 36:

Anderson, J.	Branstad	Clark, J.H.	Conlon
Corey	Crabb	Daggett	Danker
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Harbor	Hinkhouse	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Lorenzen	Lura	Maulsby
Menke	Pellett	Ritsema	Schneklath
Shull	Stromer	Swearingen	Tyrrell
Van Maanen	Welden	West	Mr. Speaker (Smalley)

Absent or not voting, 9:

Bennett	Bina	Howell	Jesse
Lageschulte	Lind	Millen	Perkins
Spear			

Amendment H—4240C was adopted.

Clark of Cerro Gordo moved the adoption of amendment H—4240A.

A non-record roll call was requested.

The ayes were 59, nays 29.

Amendment H—4240A was adopted placing out of order amendment H—4251 (to page 12) filed from the floor by Jochum, et al.

Clark of Cerro Gordo moved the adoption of amendment H—4240B.

Roll call was requested by Mullins of Kossuth and Clark of Cerro Gordo.

On the question “Shall amendment H—4240B be adopted?”

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Connolly	Connors
Crawford	Cusack	Daggett	Davitt
Dieleman	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hibbs	Horn	Hullinger	Jay
Jesse	Jochum	Kirkenslager	Krewson
Larsen	Lloyd-Jones	Lonergan	Miller
Mullins	Norland	O’Kane	Oxley
Patchett	Pavich	Poffenberger	Pope
Rapp	Schroeder	Sherzan	Shimanek
Walter	Woods		

The nays were, 38:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Danker
De Groot	Diemer	Evans	Halvorson, R.A.
Hansen, I.	Harbor	Hinkhouse	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Pellett
Pelton	Ritsema	Schneklath	Shull
Swearingen	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker (Smalley)		

Absent or not voting, 12:

Bina	Howell	Johnson, W.	Lageschulte
Millen	Perkins	Spear	Stromer
Thompson	Wells	Welsh	West

Amendment H—4240B was adopted.

Speaker Millen in the chair at 4:30 p.m.

Cusack of Scott offered the following amendment H—4265 filed by him from the floor and moved its adoption:

H—4265

- 1 Amend House File 755 as follows:
- 2 1. Page 12, by inserting after line 33 the
- 3 following:
- 4 "However if the amount of money recovered by the
- 5 Child Support Recovery Unit is less than fourteen
- 6 million dollars (\$14,000,000) the state portion of
- 7 aid to dependent children of the amount by which
- 8 the money recovered is less than fourteen million
- 9 dollars (\$14,000,000) shall be added to the amount
- 10 appropriated for aid to dependent children for the
- 11 fiscal year beginning July 1, 1979 and ending
- 12 June 30, 1980."

A non-record roll call was requested.

The ayes were 14, nays 65.

Amendment H—4265 lost.

Tyrrell of Iowa asked and received unanimous consent to withdraw amendment H—4245 filed by Tyrrell, et al., on May 2, 1979.

Bruner of Story asked and received unanimous consent to withdraw amendment H—4255 (to page 14) filed by him from the floor.

Pope of Polk offered the following amendment H—4259 filed by Pope, Larsen, Poffenberger, Jochum, Hibbs, Krewson, Lloyd-Jones, Brandt and Cusack from the floor and moved its adoption:

H—4259

- 1 Amend House File 755 as follows:
- 2 1. Page 15, by striking line 9 and inserting in
- 3 lieu thereof the following:
- 4 "to child care centers \$400,000 \$400,000"

Roll call was requested by Hibbs of Johnson and Pope of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—4259 be adopted?"

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Connolly	Connors
Crawford	Cusack	Davitt	Dieleman
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hanson, D.	Hibbs
Hinkhouse	Horn	Hullinger	Jay
Jesse	Jochum	Krewson	Larsen
Lloyd-Jones	Lonergan	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Poffenberger	Pope	Rapp
Sherzan	Walter	Welden	Wells
Welsh	Woods		

The nays were, 44:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Daggett
Danker	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Pellett	Pelton	Ritsema	Schnekloth
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	West	Mr. Speaker

Absent or not voting, 6:

Bina	Howell	Husak	Lageschulte
Perkins	Spear		

Amendment H—4259 was adopted.

Welden of Hardin asked for unanimous consent to change his vote from "nay" to "aye" on amendment H—4259.

Objection was raised.

Schroeder of Pottawattamie moved that the rules be suspended to change the vote of Welden of Hardin from "nay" to "aye" on amendment H—4259.

A non-record roll call was requested.

The ayes were 72, nays 15.

The motion prevailed and the vote was so recorded.

Crawford of Story offered the following amendment H—4258 filed by him from the floor and moved its adoption:

H—4258

- 1 Amend House File 755, page 15, line 31, by
- 2 striking the word "individuals" and inserting
- 3 in lieu thereof the words "individuals and to
- 4 provide child care".

A non-record roll call was requested.

The ayes were 70, nays 13.

Amendment H—4258 was adopted.

Jochum of Dubuque offered the following amendment H—4260 filed by him and Lloyd-Jones of Johnson from the floor and moved its adoption:

H—4260

- 1 Amend House File 755 as follows:
- 2 1. Page 16, by inserting after line 8 the
- 3 following:
- 4 "15. For pilot pro-
- 5 jects providing child day
- 6 care in the evening hours \$60,000 \$60,000
- 7 It is the intent of the General Assembly that
- 8 funds appropriated under this subsection be used
- 9 for the establishment of pilot projects providing
- 10 child day care, as defined in section two hundred
- 11 thirty-seven point one (237.1), subsection
- 12 seven (7) of the Code. Funds appropriated under
- 13 this subsection shall only be awarded to pilot
- 14 projects which match nine dollars of state grant

15 money with one dollar of local money. The maxi-
 16 mum grant shall be \$30,000. The department shall
 17 establish guidelines for the awarding of grants
 18 which shall require that funds only be used to es-
 19 tablish or expand child care programs offered
 20 after 2 p.m. for at least seven hours thereafter.

Roll call was requested by Harbor of Mills and Crabb of Crawford.

On the question "Shall amendment H—4260 be adopted?"

The ayes were, 35:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Groth
Halvorson, R.N.	Hinkhouse	Horn	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Patchett
Pavich	Rapp	Sherzan	Walter
Wells	Welsh	Woods	

The nays were, 58:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Oxley
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
West	Mr. Speaker		

Absent or not voting, 7:

Bina	Howell	Husak	Lageschulte
Perkins	Spear	Welden	

Amendment H—4260 lost.

Daggett of Taylor offered the following amendment H—4253 filed by him and Bruner of Story from the floor and moved its adoption:

H—4253

- 1 Amend House File 755 as follows:
- 2 1. Page 17, line 27, by striking the word
- 3 "seven" and inserting in lieu thereof the word
- 4 "six".
- 5 2. Page 18, line 7, by striking the word
- 6 "February" and inserting in lieu thereof the word
- 7 "January".
- 8 3. Page 18, line 8, by adding after the figure
- 9 "1980." the following new sentence:
- 10 "No recommendations shall be made which would
- 11 result in a cost to the state for the last six
- 12 months of the fiscal year ending June 30, 1980
- 13 greater than the cost of maintaining for that
- 14 six-month period a maximum reimbursement level
- 15 equal to that used in the first six months of
- 16 the fiscal year beginning July 1, 1979, indexed
- 17 forward by an inflation factor of four percent."

Amendment H—4253 was adopted.

Bruner of Story offered amendment H—4262 filed by him from the floor and requested division as follows:

H—4262

- 1 Amend House File 755 as follows:

H—4262A

- 2 1. Page 18, line 19, by striking the words "six
- 3 hundred dollars per month" and inserting in lieu
- 4 thereof the words and figures "three hundred percent
- 5 of the maximum individual benefit payable under
- 6 federal supplemental security income as defined in
- 7 section two hundred forty-nine point one (249.1),
- 8 subsection one (1) of the Code".

H—4262B

- 9 2. Page 18, line 23, by striking the words "three
- 10 dollars" and inserting in lieu thereof the words "two
- 11 dollars and ninety-five cents".

Halvorson of Clayton asked and received unanimous consent to suspend Rule 2 to continue session beyond the 6:00 p.m. time limit.

Bruner of Story moved the adoption of amendment H—4262A.

Roll call was requested by Anderson of Jasper and Bruner of Story.

On the question "Shall amendment H—4262A be adopted?"

The ayes were, 35:

Anderson, R.	Arnould	Avenson	Binneboese
Brandt	Bruner	Chiodo	Cochran
Connolly	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Walter
Wells	Welsh	Woods	

The nays were, 57:

Anderson, J.	Bennett	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Weiden	West
Mr. Speaker			

Absent or not voting, 8:

Bina	Connors	Howell	Hullinger
Lageschulte	Perkins	Poffenberger	Spear

Amendment H—4262A lost.

Bruner of Story moved the adoption of amendment H—4262B.

A non-record roll call was requested.

The ayes were 24, nays 59.

Amendment H—4262B lost.

Bruner of Story offered the following amendment H—4252 filed by him from the floor and moved its adoption:

H—4252

1 Amend House File 755 on page 20, by inserting
2 after line 10 the following new section:
3 "Sec. . It is the intent of the general
4 assembly that at least two hundred thirty-five
5 thousand (235,000) dollars of the appropriation
6 made by section eight (8), subsection eight (8)
7 of this Act for each fiscal year shall be used to
8 provide chore services. These funds shall be used
9 as state matching funds for Title twenty (XX)
10 federal funds."

Amendment H—4252 was adopted.

Mullins of Kossuth offered the following amendment H—4266 filed by her from the floor and moved its adoption:

H—4266

1 Amend House File 755 as follows:
2 1. Page 20 by inserting after line 10 the
3 following new subsection:
4 "5. It is the intent of the general assembly
5 that for the fiscal year beginning July 1, 1979,
6 payments for the care and treatment of foster
7 children in residential treatment facilities be
8 for the actual cost per diem of a facility with
9 a payment ceiling set at \$60.00 per diem."

A non-record roll call was requested.

The ayes were 36, nays 56.

Amendment H—4266 lost.

The following amendment H—4277 filed by Daggett of Taylor from the floor was adopted by unanimous consent:

H—4277

- 1 Amend House File 755 as follows:
 2 1. Page 23, line 2, by striking the word
 3 "entirely" and inserting in lieu thereof the word
 4 "primarily".

Daggett of Taylor 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. 755)

The ayes were, 86:

Anderson, R.	Arnould	Avenson	Bennett
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 9:

Anderson, J.	Branstad	Danker	Johnson, J.
Johnson, R.	Lura	Maulsby	Smalley
Tyrrell			

Absent or not voting, 5:

Bina	Howell	Lageschulte	Perkins
Spear			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN
(House File 693)

Halvorson of Clayton asked and received unanimous consent to withdraw the motion to reconsider House File 693, a bill for an act providing for an individual income tax rebate for 1978 taxes and making an appropriation, filed by him on May 2, 1979.

WAYS AND MEANS CALENDAR

Senate File 51, a bill for an act to repeal the chain store tax, with report of committee recommending passage was taken up for consideration.

Schnekloth 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. 51)

The ayes were, 54:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Connolly
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Horn	Hummel	Jesse
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Larsen	Lind	Lorenzen	Maulsby
Menke	Miller	Mullins	Pellett
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimaneck	Shull	Smalley
Stromer	Swearingen	Thompson	Van Maanen
West	Mr. Speaker		

The nays were, 37:

Anderson, R.	Avenson	Binneboese	Bruner
Byerly	Chiodo	Cochran	Connors
Cusack	Davitt	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Hullinger	Husak	Jay	Jochum
Johnson, J.	Lloyd-Jones	Loneragan	McKean
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Rapp	Sherzan
Tyrrell	Walter	Wells	Welsh
Woods			

Absent or not voting, 9:

Arnould
Lura
Welden

Bina
Perkins

Howell
Spear

Lageschulte
Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnould of Scott for the remainder of the day on request of Lloyd-Jones of Johnson.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent to take up out of order House Files 750, 751 and 752 and Senate Files 9, 321 and 39.

House File 750, a bill for an act to legalize and validate the proceedings of the city of Keokuk in Lee county, in connection with the vacation of the alley in Block Ten (10), Reeves, Perry and Williams Addition to the city of Keokuk, Lee county, Iowa, with report of committee recommending passage was taken up for consideration.

Horn 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. 750)

The ayes were, 85:

Anderson, J.
Binneboese
Byerly
Conlon
Crawford
De Groot
Egenes
Hall
Hanson, D.
Hoffmann
Hummel
Jochum

Anderson, R.
Brandt
Chiodo
Connors
Daggett
Dieleman
Evans
Halvorson, R.A.
Harbor
Holt
Husak
Johnson, J.

Avenson
Branstad
Clark, B.J.
Corey
Danker
Diemer
Gettings
Halvorson, R.N.
Hibbs
Horn
Jay
Johnson, W.

Bennett
Bruner
Cochran
Crabb
Davitt
Doyle
Groth
Hansen, I.
Hinkhouse
Hullinger
Jesse
Kirksenslager

Krewson	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tyrrell	Van Maanen	Walter
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 2:

Cusack	Sherzan
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Absent or not voting, 13:

Arnould	Bina	Clark, J.H.	Connolly
Howell	Johnson, R.	Lageschulte	Lura
Oxley	Perkins	Spear	Tofte
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 751, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts, with report of committee recommending passage was taken up for consideration. (Proof of publication as House File 714 found on page 1265 of the House Journal.)

Lorenzen 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. 751)

The ayes were, 87:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn

Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Patchett
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 2:

Cusack	Sherzan
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Absent or not voting, 11:

Arnould	Bina	Danker	Howell
Lageschulte	Lura	Oxley	Perkins
Spear	Swearingen	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 752, a bill for an act to legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth, with report of committee recommending passage was taken up for consideration.

Hall 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. 752)

The ayes were, 86:

Anderson, R.	Avenson	Bennett	Binneboese
Brandt	Branstad	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs

Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Huchum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Patchett
Pavich	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 2:

Cusack	Sherzan
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Absent or not voting, 12:

Anderson, J.	Arnould	Bina	Howell
Lageschulte	Lura	Oxley	Perkins
Schroeder	Spear	Walter	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 9, a bill for an act relating to motor fuel tax credits, with report of committee recommending amendment and passage was taken up for consideration.

Bennett of Ida offered amendment H—4233 filed by the committee on ways and means on May 2, 1979 and found on page 2020 of the House Journal and moved its adoption.

Amendment H—4233 was adopted.

Bennett of Ida 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. 9)

The ayes were, 90:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.

Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Patchett	Pavich	Pellett
Pelton	Poffenberger	Pope	Rapp
Ritæma	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Arnould	Bina	Howell	Lageschulte
Lura	Oxley	Perkins	Spear
Walter	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 321, a bill for an act to increase the interest rate payable to redeem real estate sold for delinquent taxes, with report of committee recommending passage was taken up for consideration.

Gettings of Wapello offered the following amendment H—3733 filed by Gettings, et al.:

H—3733

- 1 Amend Senate File 321, as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 2 through 17 and
- 4 inserting in lieu thereof the following: "(447.1),
- 5 Code 1979, is amended by striking the section and
- 6 inserting in lieu thereof the following:
- 7 447.1 REDEMPTION—TERMS.

8 1. Real estate qualified as the homestead of the
9 owner and sold under the provisions of this chapter
10 and chapter four hundred forty-six (446) may be
11 redeemed at any time before the right of redemption
12 is cut off, by the payment to the auditor, to be held
13 by the auditor subject to the order of the purchaser,
14 of the amount for which the same was sold and four
15 percent of the amount added as a penalty, with six
16 percent interest per annum on the sale price plus
17 the penalty from the date of sale, and the amount
18 of all taxes, interest, and costs paid by the purchaser
19 or the purchaser's assignee for any subsequent year,
20 with a similar penalty added as before on the amount
21 of the payment for each subsequent year, and six
22 percent per annum on the whole of such amount or
23 amounts from the date of payment.

24 2. Real estate except the homestead of the owner,
25 sold under the provisions of this chapter and chapter
26 four hundred forty-six (446) may be redeemed at any
27 time before the right of redemption is cut off, by
28 the payment to the auditor, to be held by the auditor
29 subject to the order of the purchaser, of the amount
30 for which the same was sold and four percent of the
31 amount added as a penalty, with twelve percent interest
32 per annum on the sale price plus the penalty from
33 the date of sale, and the amount of all taxes,
34 interest, and costs paid by the purchaser or the
35 purchaser's assignee for any subsequent year, with
36 a similar penalty added as before on the amount of
37 the payment for each subsequent year, and twelve
38 percent per annum on the whole of such amount or
39 amounts from the date of payment."

Brandt of Black Hawk offered the following amendment
H-4278, to amendment H-3733, filed by her from the floor and
moved its adoption:

H-4278

1 Amend amendment H-3733 to Senate File 321 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, line 31, by striking the word
5 "twelve" and inserting in lieu thereof the word
6 "nine".

7 2. Page 1, line 37, by striking the word
8 "twelve" and inserting in lieu thereof the word
9 "nine".

Roll call was requested by Brandt of Black Hawk and Halvorson
of Webster.

On the question "Shall amendment H — 4278 be adopted?"

The ayes were, 41:

Anderson, R.	Avenson	Binneboese	Brandt
Bruner	Byerly	Chiodo	Cochran
Cannolly	Connors	Corey	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Hullinger	Husak
Jesse	Jochum	Johnson, R.	Krewson
Lloyd-Jones	Loneragan	Maulsby	Miller
Norland	O'Kane	Patchett	Pavich
Poffenberger	Rapp	Sherzan	Wells
Welsh			

The nays were, 47:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, W.	Kirkenslager
Larsen	Lind	Lorenzen	McKean
Menke	Mullins	Pellet	Pelton
Pope	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 12:

Arnould	Bina	Howell	Jay
Lageschulte	Lura	Oxley	Perkins
Spear	Walter	Welden	Woods

Amendment H — 4278 lost.

Gettings of Wapello moved the adoption of amendment H — 3733.

Roll call was requested by Jochum of Dubuque and Cannolly of Dubuque.

On the question "Shall amendment H — 3733 be adopted?"

The ayes were, 38:

Anderson, R.	Avenson	Binneboese	Brandt
Bruner	Byerly	Chiodo	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Hullinger	Husak	Jesse	Jochum
Johnson, R.	Krewson	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Patchett
Pavich	Rapp	Sherzan	Tyrrell
Wells	Welsh		

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Larsen	Lind
Lorenzen	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Van Maanen
West	Mr. Speaker		

Absent or not voting, 12:

Arnould	Bina	Howell	Jay
Lageschulte	Lura	Oxley	Perkins
Spear	Walter	Welden	Woods

Amendment H—3733 lost.

Evans 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.

On the question "Shall the bill pass?" (S.F. 321)

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.

Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hullinger	Hummel
Husak	Johnson, J.	Johnson, W.	Kirkenslager
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

The nays were, 34:

Anderson, R.	Binneboese	Brandt	Bruner
Byerly	Chiodo	Cochran	Connolly
Connors	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Jesse
Jochum	Johnson, R.	Krewson	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane
Patchett	Pavich	Rapp	Sherzan
Wells	Welsh		

Absent or not voting, 13:

Arnould	Avenson	Bina	Howell
Jay	Lageschulte	Lura	Oxley
Perkins	Spear	Walter	Welden
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED

Evans of Grundy moved to reconsider the vote by which Senate File 321 passed the House on May 3, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 53, nays 33.

The motion prevailed.

MOTIONS TO RECONSIDER
(House File 755)

I move to reconsider the vote by which House File 755 passed the House on May 3, 1979.

WELDEN of Hardin
(Amendment H—4259 to House File 755)

I move to reconsider the vote by which amendment H—4259 to House File 755 was adopted by the House on May 3, 1979.

WELDEN of Hardin
(Senate File 51)

I move to reconsider the vote by which Senate File 51 passed the House on May 3, 1979.

CONNOLLY of Dubuque
(Senate File 51)

I move to reconsider the vote by which Senate File 51 passed the House on May 3, 1979.

SCHNEKLOTH of Scott
(House File 693)

I move to reconsider the vote by which House File 693 passed the House on May 2, 1979.

RAPP of Black Hawk
UNANIMOUS CONSENT CALENDAR
(House Resolution 39)

We hereby respectfully request that House Resolution 39, filed on May 2, 1979 and found on page 1998 of the House Journal, be placed on the unanimous consent calendar.

CUSACK of Scott
HANSEN of O'Brien
MILLER of Calhoun

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 3, 1979, he approved and transmitted to the Secretary of State the following bills:

Senate File 29, an act relating to the enforcement of foreign judgments.

Senate File 135, an act relating to the notice of oleomargarine in public eating places.

Senate File 218, an act to legalize the proceedings of the City of Alexander, Iowa in connection with the letting of certain contracts.

Senate File 282, an act to amend city finance laws.

Senate File 293, an act relating to the filing of requests and giving notice of claims against probated estates.

Senate File 294, an act to provide uniform procedures for certifying questions of law.

Senate File 299, an act to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa.

Senate File 347, an act to legalize proceedings taken by the Board of Supervisors of Lucas County relating to the sale of certain properties.

Senate File 422, an act relating to the laying of gas mains and water mains along highways.

Senate File 442, an act relating to the distribution of earnings of corporations which are cooperative associations.

Senate File 451, an act relating to the establishment and the delay in implementation of the establishment of a unified state mental health agency.

Senate File 456, an act requiring private agencies receiving grants or contracts from the state to submit to an audit prior to the receipt of funds.

Senate File 461, an act to legalize proceedings taken by the Board of Supervisors of Poweshiek County relating to the sale of certain properties.

Senate File 476, an act to legalize the proceedings of the Davenport Community School District relating to the sale of certain property.

SPONSORS ADDED**(Amendment H—4190 to Senate File 485)**

The following members requested to be added as sponsors of amendment H—4190 to Senate File 485: Rapp of Black Hawk, Perkins of Greene, Connolly of Dubuque, Brandt of Black Hawk, Davitt of Warren, Bruner of Story, O’Kane of Woodbury, Jochum of Dubuque, Lloyd-Jones of Johnson, Lonergan of Boone, Pavich of Pottawattamie, Walter of Pottawattamie, Wells of Linn, Connors of Polk, Arnould of Scott and Gettings of Wapello.

(Amendment H—4246 to House File 693)

Lura of Marshall requested to be added as a sponsor of amendment H—4246 to House File 693.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty fifth grade students from Washington Elementary School, Muscatine, Iowa, accompanied by Mary Beth Carey. By Hoffmann of Muscatine and Conlon of Muscatine.

Sixty fifth grade students from Maurice-Orange City Elementary School, Orange City, Iowa, accompanied by Paul Koets. By Ritsema of Sioux and De Groot of Lyon.

Fifty-five students from Dowling High School, West Des Moines, Iowa, accompanied by Virginia Sourbeer and Janet Downey. By Thompson of Polk.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, May 2. Had I been present, I would have voted “aye” on House File 693.

DIELEMAN of Marion

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 491, a bill for an act to make appropriations from the general fund and road use tax fund of the state to certain persons in settlement of claims made against the state of Iowa.

Recommended Amend and Do Pass.

H—4276

- | | | | |
|----|--|------------|-----------------------|
| 1 | Amend Senate File 491 as amended, passed and | | |
| 2 | reprinted by the Senate as follows: | | |
| 3 | 1. Page 2, by adding after line 19 the | | |
| 4 | following: | | |
| 5 | "16. Richard E. | 5231-68-25 | Vacation pay 6,982.80 |
| 6 | Haesemeyer | | refund |
| 7 | Des Moines, Iowa | | |
| 8 | 17. George Murray | 5230-68-25 | Vacation pay 5,320.33 |
| 9 | Lakewood, Iowa | | refund |
| 10 | 18. Lowell Johnson | | Payment of 9,925.00 |
| 11 | Knoxville, Iowa | | contract on |
| 12 | | | Crooked Creek |
| 13 | | | watershed". |

AMENDMENTS FILED

H—4257	S.F. 1	Norland of Worth
H—4261	H.F. 747	Miller of Buchanan
H—4270	S.F. 489	Horn of Linn
H—4271	H.F. 421	Welsh of Dubuque
H—4272	H.F. 747	Pavich of Pottawattamie
		Walter of Pottawattamie
H—4273	H.F. 747	Hanson of Delaware
H—4274	S.F. 489	Brandt of Black Hawk
H—4275	H.F. 749	Spear of Lee
		Kirkenslager of Des Moines

On motion by Halvorson of Clayton the House adjourned at 8:11 p.m., until 9:00 a.m., Friday, May 4, 1979.

JOURNAL OF THE HOUSE

One Hundred Seventeenth Calendar Day—Seventy-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 4, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Rollin Oswald, pastor of the United Methodist Church, West Des Moines, Iowa.

The Journal of Thursday, May 3, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Kelly, Spencer, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Smalley of Polk, for a portion of the morning, and Evans of Grundy on request of Johnson of Howard; Connolly of Dubuque on request of Miller of Buchanan; Walter of Pottawattamie on request of Pavich of Pottawattamie; Tofte of Winneshiek on request of Stromer of Hancock; Woods of Polk on request of Byerly of Polk.

INTRODUCTION OF BILL

House File 757, by committee on ways and means, a bill for an act relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure.

Read first time and placed on the **ways and means 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 on May 3, 1979, insisted on its amendment to House File 647, a bill for an act relating to the compensation of township trustees and township clerks, and the members of the conference committee on the part of the Senate, appointed May 4, 1979, are: The Senator from Boone, Senator Nystrom, Chair; the Senator from Adams, Senator Briles; the Senator from Pottawattamie, Senator Hester; the Senator from Des Moines, Senator Miller; and the Senator from Pottawattamie, Senator Slater.

Also: That the Senate has on April 23, 1979, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 344, a bill for an act relating to access to and use of solar energy.

FRANK J. STORK, Secretary

CONFERENCE COMMITTEE APPOINTED (House File 647)

The Speaker announced the appointment of the following members to consider the differences between the House and Senate concerning House File 647: Danker of Pottawattamie, Chair; Lageschulte of Bremer, Branstad of Winnebago, Binneboese of Plymouth and Hullinger of Decatur.

CONSIDERATION OF BILLS Ways and Means Calendar

Senate File 39, a bill for an act relating to the treatment of free newspapers and shoppers guides under the state sales tax, with report of committee recommending passage was taken up for consideration.

Thompson 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. 39)

The ayes were, 83:

Anderson, J.
Bennett

Anderson, R.
Binneboese

Arnould
Brandt

Avenson
Branstad

Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Husak	Jay	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Shimaneck	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Wells	West	Mr. Speaker	

The nays were, none.

Absent or not voting, 17:

Bina	Chiodo	Connolly	Egenes
Evans	Hummel	Jesse	Jochum
Lonergan	Patchett	Sherzan	Smalley
Spear	Walter	Welden	Welsh
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 749, a bill for an act making an appropriation to establish a juvenile victim restitution program, was taken up for consideration.

Kirkenslager of Des Moines asked and received unanimous consent to withdraw amendment H—4237 filed by him on May 2, 1979.

Kirkenslager of Des Moines offered the following amendment H—4275 filed by Spear of Lee and Kirkenslager of Des Moines and moved its adoption:

H—4275

- 1 Amend House File 749 as follows:
- 2 1. Page 2, line 24, by inserting after the word

3 "court." the words "In those counties where the county
4 maintains an office to provide juvenile victim
5 restitution services, the probation officer may use
6 that office's services."

7 2. Page 3, line 8, by inserting after the word
8 "offender" the words ", or a juvenile restitution
9 office established by the county,".

10 3. Page 3, line 14, by inserting after the word
11 "officer" the words "or a juvenile restitution office
12 established by the county".

Amendment H—4275 was adopted.

Lageschulte 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?" (H.F. 749)

The ayes were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lind	Lloyd-Jones	Loneran
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Wells
Welsh	West	Mr. Speaker	

The nays were, none.

Absent or not voting, 13:

Bina
Larsen
Spear
Woods

Bruner
Patchett
Stromer

Connolly
Sherzan
Walter

Evans
Smalley
Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 749)

Lageschulte of Bremer asked and received unanimous consent to immediately message House File 749 to the Senate.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent for the consideration of bills in the following order: House File 460; Senate Files 475, 204 and 163; and House File 692.

SENATE AMENDMENT CONSIDERED

Shull of Warren called up for consideration **House File 460**, a bill for an act to authorize life insurance companies and associations under chapter five hundred eleven (511) of the Code to invest in fixed interest-bearing obligations of certain financial companies and obligations of foreign governments, subject to certain limitations, amended by the Senate amendment H-4205, received from the Senate on May 1 and found on page 1947 of the House Journal, and moved that the House concur in the Senate amendment H-4205.

The motion prevailed and the House concurred in the Senate amendment H-4205.

Shull of Warren 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. 460)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, J.H.
Cochran	Conlon	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Gettings	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Bina	Clark, B.J.	Connolly	Connors
Evans	Groth	Johnson, W.	Maulsby
Patchett	Sherzan	Smalley	Spear
Walter	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNFINISHED BUSINESS CALENDAR

Senate File 475, a bill for an act to legalize the proceeding of any county in the state which sold certain county property without offering the property for sale at a public auction, with report of committee recommending passage was taken up for consideration.

Ritsema 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. 475)

The ayes were, 86:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Stromer	Swearingen	Thompson	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, none.

Absent or not voting, 14:

Bina	Binneboese	Branstad	Connolly
Danker	Evans	Harbor	Patchett
Sherzan	Smalley	Spear	Tofte
Walter	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 204, a bill for an act relating to the registration and titling of non-resident vehicles and specially constructed or reconstructed vehicles, with report of committee recommending passage was taken up for consideration.

Kirkenslager 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?" (S.F. 204)

The ayes were, 89:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Pavich	Pellet
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	Wells	Welsh	West
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Bina	Brandt	Connolly	Danker
Evans	Patchett	Sherzan	Spear
Tofte	Walter	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

Welsh of Dubuque asked and received unanimous consent to be recorded as voting "aye" on Senate File 204 and the vote was so recorded.

Senate File 163, a bill for an act relating to regulated carriers by providing temporary operating authority for regulated carriers, by establishing uniform regulatory controls for certain commercial carriers, and by requiring interstate carriers exempt from interstate

commerce commission regulations to register in this state and instituting an insurance requirement for exempt carriers, with report of committee recommending 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. 163)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorezen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Swearingen	Thompson	Tyrrell
Van Maanen	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Bina	Connolly	Evans	Patchett
Sherzan	Spear	Stromer	Tofte
Walter	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE FILE 425 SUBSTITUTED FOR HOUSE FILE 692

Holt of Clay asked and received unanimous consent to substitute Senate File 425 for House File 692.

Senate File 425, a bill for an act relating to chapter five hundred three (503) of the Code, was taken up for consideration.

Holt of Clay 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. 425)

The ayes were, 78:

Anderson, J.	Anderson, R.	Avenson	Bennett
Binneboese	Branstad	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Jay
Jesse	Jochum	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	McKean	Menke	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Pope
Ritsema	Schroeder	Sherzan	Shimanek
Shull	Stromer	Swearingen	Thompson
Van Maanen	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, 10:

Brandt	Hummel	Husak	Johnson, J.
Maulsby	Miller	Rapp	Schnekloth
Smalley	Tyrrell		

Absent or not voting, 12:

Arnould	Bina	Connolly	Evans
Harbor	Howell	Patchett	Poffenberger
Spear	Tofte	Walter	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 692 WITHDRAWN

Holt of Clay asked and received unanimous consent to withdraw House File 692 from further consideration by the House.

MOTION TO RECONSIDER (Senate File 163)

I move to reconsider the vote by which Senate File 163 passed the House on May 4, 1979.

ANDERSON of Audubon

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ninety fifth grade students from Clive Elementary School, Clive, Iowa, accompanied by Jerry Foster, Mrs. Crone and Mr. Gift. By Thompson of Polk.

Twenty-eight fifth grade students from Cambridge Elementary School, Cambridge, Iowa, accompanied by Mrs. Griffith. By Crawford of Story.

Thirty senior students from Bridgewater-Fontenelle Junior-Senior High School, Fontenelle, Iowa, accompanied by Randy Long. By Pellett of Cass.

Ten Camp Fire Girls from Iowa City, Iowa, accompanied by Pat Addis and Carolyn Gardner. By Hibbs of Johnson and Lloyd-Jones of Johnson.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber when the vote was taken on House File 749. Had I been present, I would have voted "aye."

BRUNER of Story

I was necessarily absent from the House chamber on May 3. Had I been present, I would have voted "aye" on House Files 754, 755, 750, 751, 752 and Senate Files 9 and 321.

LAGESCHULTE of Bremer

I was necessarily absent from the House chamber on Thursday morning, May 3. Had I been present I would have voted "aye" on House File 754.

GETTINGS of Wapello

I was necessarily absent from the House chamber on the morning of May 4. Had I been present, I would have voted "aye" on House File 749.

SHERZAN of Polk

SUBCOMMITTEE ASSIGNMENTS

House File 750

Ways and Means: Conlon, Chair; Lorenzen and Hall.

House File 751

Ways and Means: Conlon, Chair; Lorenzen and Hall.

House File 752

Ways and Means: Conlon, Chair; Lorenzen and Hall.

House File 753

Ways and Means: Conlon, Chair; Lorenzen and Hall.

Senate File 9

Ways and Means: Pope, Chair; Hanson of Delaware, Lura, Branstad, Bennett, Anderson of Jasper, Hall, Jochum, Connolly and Conlon.

Senate File 51

Ways and Means: Schneklath, Chair; Lorenzen and Hall.

Senate File 488

Ways and Means: Pope, Chair; Hanson of Delaware, Branstad, Lura, Bennett, Anderson of Jasper, Hall, Jochum, Connolly and Conlon.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation.

Recommended Amend and Do Pass.

H-4279

- 1 Amend Senate File 362 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 2, line 1, by striking the word "second" and
- 4 inserting in lieu thereof the word "first".

Committee Bill, a bill for an act establishing and making an appropriation for an elderly care program.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

House File 753, a bill for an act to legalize the proceedings of the park board of the city of Monticello, Iowa in connection with the letting of certain contracts.

Recommended Do Pass.

Study Bill 238, relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H—4280

S.F. 491

Schroeder of Pottawattamie

H—4281

S.F. 362

Welden of Hardin

On motion by Halvorson of Clayton the House adjourned at 10:13 a.m., until 10:00 a.m., Monday, May 7, 1979.

JOURNAL OF THE HOUSE

One Hundred Twentieth Calendar Day—Eightieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 7, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Bishop Maurice Dingman, Des Moines Diocese of the Catholic Church, Des Moines, Iowa.

The Journal of Friday, May 4, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Howard Beatty, Creston, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Krewson of Polk, for the morning session, on request of Walter of Pottawattamie; Clark of Lee, for the morning session, on request of Thompson of Polk.

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 on May 3, 1979, 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 649, a bill for an act to amend the Iowa Banking Act provisions regarding state bank reports of condition, interest payments and loans.

Also: That the Senate has on May 3, 1979, receded from its amendment to, and passed the following bill:

House File 662, a bill for an act limiting the hotel and motel tax to a tax on sleeping accommodations.

Also: That the Senate has on May 3, 1979, 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 669, a bill for an act providing a life cycle cost analysis for certain government construction projects.

Also: That the Senate has on May 3, 1979, refused to concur in the House amendment to the Senate amendment to the following bill:

House File 679, a bill for an act establishing a committee to review the regulation of occupations.

Also: That the Senate has on May 4, 1979, insisted on its amendment to House File 680, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations, and the members of the conference committee on the part of the Senate are: The Senator from Jefferson, Senator Schwengels, Chair; the Senator from Woodbury, Senator Carney; the Senator from Dubuque, Senator Carr; the Senator from Boone, Senator Nystrom; and the Senator from Linn, Senator Robinson.

Also: That the Senate has on May 3, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 734, a bill for an act providing an appropriation for various trust funds whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 734

H-4282

- 1 Amend House File 734 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 3, by striking lines 14 through 20 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 3. Chapter one hundred fifty-nine (159),
- 6 Code 1979, is amended by adding the following new
- 7 section:
- 8 **NEW SECTION.** The secretary shall not approve the
- 9 use of end intake airprobes, which use a vacuum to
- 10 collect a sample from a load of grain, pursuant to
- 11 section one hundred fifty-nine point five (159.5),
- 12 subsection ten (10) of the Code. A person who uses
- 13 a method of probing for foreign material content of
- 14 grain which is not approved by the secretary is guilty
- 15 of a simple misdemeanor."
- 16 2. Page 9, by striking lines 29 through 35.
- 17 3. Page 11, line 14, by striking the word "more"
- 18 and inserting in lieu thereof the words "more less".
- 19 4. Page 11, line 15, by striking the word "may"

20 and inserting in lieu thereof the words "may shall".

21 5. Page 11, by striking line 21 through page 12,
22 line 3.

23 6. Page 12, line 28, by striking the word "fifty-
24 nine" and inserting in lieu thereof the word "fifty-
25 eight".

26 7. Page 12, line 31, by striking the figures
27 "1,988,972 \$ 2,095,359" and inserting in
28 lieu thereof the figures:

29 "1,968,880 \$2,074,628".

30 8. Page 17, line 3, by inserting after the word
31 "accepted" the words "but not longer than twelve years
32 from the date that construction was approved by the
33 department".

34 9. Page 20, by inserting after line 17 the
35 following:

36 "4. For settlement of
37 a judgment against the
38 Cass county soil conserva-
39 tion district \$9,925"

40 10. Renumbering the subsections to conform with
41 this amendment.

42 11. Amend the title, line 6, by inserting after the
43 word "research" the words "and providing for a penalty".

HOUSE CONCURRENT RESOLUTION 21

By Evans

1 *Whereas*, the average demand for electricity and
2 gas has significantly increased in recent years; and
3 *Whereas*, this demand varies both seasonally and
4 on a time-of-day basis creating peak energy demand
5 periods; and

6 *Whereas*, utilities must make significant capital
7 outlays to build the necessary generating capacity
8 to meet peak demand and the growth of average demand
9 for energy; and

10 *Whereas*, these capital outlays have caused
11 significant increases in the price of energy for
12 consumers; and

13 *Whereas*, reformed utility rate structures may
14 encourage greater conservation of energy and reduce
15 the present rate of growth of average and peak demand
16 which would mitigate the need for utilities to make
17 capital outlays at the present rate for new generation
18 and, hence, slow the price spiral of energy; *Now*
19 *Therefore*,

20 *Be It Resolved By The House Of Representatives,*
21 *The Senate Concurring*, That the legislative council
22 is authorized to establish an interim legislative
23 study, conducted by a joint subcommittee of the

24 committees on energy of the senate and house of
25 representatives, to study the feasibility of various
26 proposals for changing the state's utility rate
27 structure laws to encourage conservation and reduce
28 peak demand and to make a report to the legislative
29 council and the general assembly meeting in the year
30 1980 containing its recommendations on this matter.

Laid over under Rule 30.

ADOPTION OF HOUSE RESOLUTION 35

Pursuant to House Rule 31, the Speaker announced that House Resolution 35, congratulating the Greeley Rope Pull Team of Greeley, Iowa, filed on April 25, 1979 and found on page 1793 of the House Journal, was adopted by unanimous consent.

CONFERENCE COMMITTEE APPOINTED (House File 680)

The Speaker announced the appointment of the following members to consider the differences between the House and Senate concerning House File 680: Menke of O'Brien, Chair; Johnson of Howard, Holt of Clay, Cusack of Scott and Connors of Polk.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent to suspend the rules and place House File 757 on the Monday, May 7, Daily Debate Calendar for immediate consideration.

CONSIDERATION OF BILLS Appropriations Calendar

Senate File 491, a bill for an act to make appropriations from the general fund and road use tax fund of the state to certain persons in settlement of claims made against the state of Iowa, with report of committee recommending amendment and passage was taken up for consideration.

Miller of Buchanan offered amendment H-4276 filed by the committee on appropriations on May 3, 1979 and found on page 2064 of the House Journal.

Schroeder of Pottawattamie offered the following amendment H-4280, to the committee amendment H-4276, filed by him and moved its adoption:

H-4280

- 1 Amend amendment H-4276 to page 2, Senate File 491,
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 10 through 13.

Amendment H-4280 was adopted.

Miller of Buchanan moved the adoption of the committee amendment H-4276, as amended.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall amendment H-4276, as amended, be adopted?"

The ayes were, 50:

Bennett	Binneboese	Clark, B.J.	Conlon
Connors	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Menke	Miller	Pellet
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Welden	Wells
West	Mr. Speaker		

The nays were, 40:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Branstad	Bruner	Byerly
Cochran	Connolly	Cusack	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Howell	Hullinger
Husak	Jay	Jochum	Johnson, R.
Lloyd-Jones	Lorenzen	Lura	Maulsby
McKean	Norland	O'Kane	Oxley
Pavich	Pelton	Perkins	Rapp
Shull	Van Maanen	Walter	Woods

Absent or not voting, 10:

Brandt	Chiodo	Clark, J.H.	Egenes
Jesse	Krewson	Loneragan	Mullins
Patchett	Welsh		

Amendment H—4276, as amended, was adopted.

Miller of Buchanan 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 80 was invoked.

On the question "Shall the bill pass?" (S.F. 491)

The ayes were, 62:

Anderson, J.	Bennett	Binneboese	Brandt
Branstad	Clark, B.J.	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Diemer	Evans	Hall	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Howell
Hummel	Husak	Johnson, J.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	Menke
Miller	Oxley	Pellett	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Welden	Wells
West	Mr. Speaker		

The nays were, 30:

Arnould	Avenson	Bina	Bruner
Byerly	Cochran	Conlon	Dieleman
Doyle	Gettings	Groth	Halvorson, R.N.
Horn	Hullinger	Jay	Jochum
Johnson, R.	Lloyd-Jones	McKean	Mullins
Norland	O'Kane	Pavich	Pelton
Perkins	Rapp	Van Maanen	Walter
Welsh	Woods		

Absent or not voting, 8:

Anderson, R.	Chiodo	Clark, J.H.	Egenes
Jesse	Krewson	Loneragan	Patchett

The bill having failed to receive a two-thirds majority vote was declared to have failed to pass the House.

MOTION TO RECONSIDER PREVAILED
(Senate File 491)

Conlon of Muscatine moved to reconsider the vote by which Senate File 491 failed to pass the House on May 7, 1979.

A non-record roll call was requested.

The ayes were 78, nays 2.

The motion prevailed and the House reconsidered Senate File 491.

Miller of Buchanan moved to reconsider the vote by which the committee amendment H—4276, as amended, was adopted by the House on May 7, 1979.

A non-record roll call was requested.

The ayes were 76, nays 11.

The motion prevailed and the House reconsidered amendment H—4276, as amended.

Miller of Buchanan asked and received unanimous consent to withdraw the committee amendment H—4276, as amended.

Miller of Buchanan 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. 491)

The ayes were, 91:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Gettings	Groth

Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Pope

Absent or not voting, 8:

Anderson, R.	Clark, J.H.	Danker	Egenes
Evans	Krewson	Patchett	Welden

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 756, a bill for an act allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation or to individuals who hold an interest in a horizontal property regime under chapter four hundred ninety-nine B (499B) of the Code, was taken up for consideration.

Lura of Marshall 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. 756)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt

Branstad	Bruner	Byerly	Chiodo
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Lura	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellet	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 1:

Maulsby

Absent or not voting, 6:

Clark, B.J.	Clark, J.H.	Cusack	Krewson
Lind	Patchett		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT

Halvorson of Clayton asked and received unanimous consent to take up for immediate consideration Senate File 1.

Ways and Means Calendar

The House resumed consideration of **Senate File 1**, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies, and the point of order by Johnson of Woodbury on the germaneness of amendment H-4248, to the committee amendment H-4212 (found on pages 1983 and 1984 of the House Journal).

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—4248 filed by her and found on pages 2024 and 2025 of the House Journal.

Norland of Worth offered the following amendment H—4257, to the committee amendment H—4212 filed by him and moved its adoption:

H—4257

- 1 Amend amendment H—4212 to Senate File 1 as
- 2 amended, passed and reprinted as follows:
- 3 1. Page 1, line 16, by striking the word
- 4 "fifty" and inserting in lieu thereof the word
- 5 "thirty-five".
- 6 2. Page 1, line 18, by striking the word
- 7 "fifty" and inserting in lieu thereof the word
- 8 "thirty-five".

Amendment H—4257 was adopted.

On motion by Daggett of Taylor, amendment H—4212, as amended, was adopted.

Daggett of Taylor 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. 1)

The ayes were, 87:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonerган	Lorenzen	Lura
McKean	Menke	Mullins	Norland
O'Kane	Pavich	Pellett	Pelton

Perkins	Poffenberger	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, 8:

Anderson, J.	Branstad	Johnson, R.	Maulsby
Miller	Oxley	Schnekloth	Woods

Absent or not voting, 5:

Clark, B.J.	Clark, J.H.	Johnson, J.	Krewson
Patchett			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT TO VOTE

Cochran of Webster asked and received unanimous consent to be recorded as voting "aye" on Senate File 1 and the vote was so recorded.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

On motion by Halvorson of Clayton the House was recessed at 12:27 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

INTRODUCTION OF BILLS

House File 758, by committee on appropriations, a bill for an act establishing and making an appropriation for an elderly care program.

Read first time and placed on the **appropriations calendar**.

House File 759, by committee on ways and means, a bill for an act to provide a refund of sales and use tax paid on industrial machinery and equipment and certain personal property used for agricultural purposes and making an appropriation.

Read first time and placed on the **ways and means calendar**.

QUORUM CALL

Roll call was requested by Halvorson of Clayton and Conlon of Muscatine to determine that a quorum was present.

Present: 91

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, J.H.
Cochran	Conlon	Connolly	Corey
Crabb	Crawford	Cusack	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	Menke
Miller	Mullins	O'Kane	Oxley
Patchett	Pellett	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

Absent: 9

Byerly	Clark, B.J.	Connors	Jay
Jesse	McKean	Norland	Pavich
Pelton			

House File 757, a bill for an act relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential

property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure, was taken up for consideration.

West of Marshall asked and received unanimous consent to suspend Rule 25 and that Mr. Gene Eich from the Department of Revenue be permitted in the House chamber during consideration of House File 757.

Norland of Worth offered the following amendment H-4287 filed by Norland, Brandt, Anderson of Jasper, Howell and Jesse from the floor and moved its adoption:

H-4287

- 1 Amend House File 757 as follows:
- 2 1. Page 2, by striking lines 9 through 35.
- 3 2. Page 3, by striking lines 1 through 4.
- 4 3. Page 5, lines 26, 27, and 28, by striking the
- 5 words "as equalized by the director of revenue pursuant
- 6 to section four hundred forty-one point forty-nine
- 7 (441.49) of the Code".
- 8 4. Page 7, by striking lines 32 through 35.
- 9 5. Page 8, by striking lines 1 through 9.
- 10 6. Page 9, line 14, by striking the words and
- 11 figure "1981 and each odd-numbered" and inserting
- 12 in lieu thereof the words and figure "1980 and each
- 13 even-numbered".
- 14 7. Page 14, by inserting after line 10 the
- 15 following new section:
- 16 "Sec. . Section four hundred forty-one point
- 17 forty-seven (441.47), Code 1979, is amended to read
- 18 as follows:
- 19 441.47 ADJUSTED VALUATIONS. The director of
- 20 revenue on or about August 15, ~~1977~~ 1980 and every
- 21 two years thereafter shall order the equalization
- 22 of the levels of assessment of each class of property
- 23 in the several assessing jurisdictions by adding to
- 24 or deducting from the valuation of each class of
- 25 property such percentage in each case as may be
- 26 necessary to bring the same to its taxable value as
- 27 fixed in this chapter and chapters 427 to 443,

28 inclusive. The director shall adjust to actual value
 29 the valuation of any class of property as set out
 30 in the abstract of assessment when the valuation is
 31 at least five percent above or below actual value
 32 as determined by the director. For purposes of such
 33 value adjustments and before such equalization the
 34 director shall adopt, in the manner prescribed by
 35 chapter 17A, such rules as may be necessary to
 36 determine the level of assessment for each class of
 37 property in each county. The rules shall cover: (1)
 38 The proposed use of the assessment-sales ratio study
 39 set out in section 421.17, subsection 6; (2) the
 40 proposed use of any state-wide income capitalization
 41 studies; (3) the proposed use of other methods that
 42 would assist the director in arriving at the accurate
 43 level of assessment of each class of property in each
 44 assessing jurisdiction."
 45 8. Renumber sections and correct internal
 46 references as are necessary in accordance with this
 47 amendment.

Roll call was requested by Rapp of Black Hawk and Bina of Scott.

On the question "Shall amendment H-4287 be adopted?"

The ayes were, 44:

Anderson, R.	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jesse	Jochum	Kirkenslager	Lloyd-Jones
Loneragan	Maulsby	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Gettings
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura

McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Arnould Jay

Amendment H — 4287 lost.

Anderson of Jasper offered the following amendment H — 4286 filed by him from the floor and moved its adoption:

H — 4286

- 1 Amend House File 757 as follows:
- 2 1. Page 2, line 17, by inserting after the
- 3 word "assessment" the following: "however, if the
- 4 assessed value of the personal property of an owner
- 5 for the prior year was less than eighty percent of
- 6 the credit provided in chapter four hundred twenty-
- 7 seven A (427A) of the Code, and there have been no
- 8 additions, the list from the prior year may be used".

A non-record roll call was requested.

The ayes were 42, nays 52.

Amendment H — 4286 lost.

Woods of Polk offered the following amendment H — 4289 filed by him from the floor and moved its adoption:

H — 4289

- 1 Amend House File 757 as follows:
- 2 1. Page 7, by striking lines 32 through 35.
- 3 2. Page 8, by striking lines 1 through 9.

Roll call was requested by Byerly of Polk and Chiodo of Polk.

On the question "Shall amendment H — 4289 be adopted?"

The ayes were, 29:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Connolly	Connors	Cusack	Dieleman
Doyle	Gettings	Hall	Horn
Howell	Jesse	Jochum	Lloyd-Jones
Lonergan	Miller	O'Kane	Pavich
Rapp	Sherzan	Walter	Wells
Woods			

The nays were, 67:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Cochran	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Diemer	Egenes	Evans
Groth	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Norland	Oxley	Patchett	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimaneck
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welsh	West	Mr. Speaker	

Absent or not voting, 4:

Avenson	Clark, J.H.	Stromer	Weiden
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Amendment H—4289 lost.

Brandt of Black Hawk offered the following amendment H—4285 filed by her from the floor and moved its adoption:

H—4285

- 1 Amend House File 757 as follows:
- 2 1. Page 8, by inserting after line 9 the following
- 3 new section:
- 4 "Sec. . . . Section four hundred forty-one point
- 5 twenty-one (441.21), Code 1979, is amended by adding
- 6 the following new subsections:
- 7 NEW SUBSECTION. Beginning with the January 1,
- 8 1980 assessment, assessors shall identify and report
- 9 to the department of revenue on the annual abstract

10 of assessment, the number and value of commercial
11 residential properties consisting of three or more
12 separate living quarters for human habitation which
13 are used primarily as permanent commercial residential
14 dwellings. The properties shall not include properties
15 intended to be used as temporary commercial residential
16 dwellings including but not limited to hotels and
17 motels, nor shall it include properties having
18 commercial residential facilities which are incidental
19 to a primary purpose which is not to provide permanent
20 commercial residential dwellings. The assessor shall
21 also report separately the number and value of those
22 properties which are not commercial residential as
23 defined herein but consist in part of rental liv-
24 ing quarters for permanent human habitation. The
25 value reported shall include only the value of the
26 portions of the properties used as permanent rental
27 living quarters.

28 NEW SUBSECTION. Commencing January 1, 1981,
29 commercial residential properties as defined in this
30 section shall become a separate class of property
31 and shall be subject to the provisions of chapters
32 four hundred twenty-one (421), four hundred twenty-
33 eight (428), and four hundred forty-one (441) of the
34 Code.

35 NEW SUBSECTION. For valuations established as
36 of January 1, 1981, commercial residential property
37 shall be assessed at a percentage of actual value.
38 The percentage shall be determined by the director
39 of revenue for the state in accordance with the
40 provisions of this section. For valuations established
41 as of January 1, 1981, the percentage shall be the
42 quotient of the dividend and divisor as defined in
43 this section. The dividend shall be the total
44 equalized value of such property in the state in 1980,
45 adjusted for additions or deletions to said value,
46 excluding those resulting from the revaluation of
47 existing properties as equalized by the director of
48 revenue on or before October first as provided by
49 section four hundred forty-one point forty-nine
50 (441.49) of the Code, as reported by the assessors

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1 on the abstracts of assessment submitted in 1981,
2 plus four percent of the 1980 equalized value of such
3 property or the amount of value added by the
4 revaluation of existing properties as equalized by
5 the director of revenue on or before October first,
6 as provided by section four hundred forty-one point
7 forty-nine (441.49) of the Code, in 1981 whichever

8 is less. The divisor shall be the total value of
9 such property in the state as reported by the assessors
10 on the abstracts of assessment submitted in 1980,
11 plus the amount of value added in 1981 by the
12 revaluation of existing properties as equalized by
13 the director of revenue on or before October first
14 as provided by section four hundred forty-one point
15 forty-nine (441.49) of the Code. However, if the
16 differences between the dividend determined for
17 commercial residential properties and the dividends
18 calculated for agricultural or residential properties
19 is less than four percent according to the methods
20 prescribed in subsection five (5) of this section,
21 the dividends for agricultural and residential
22 properties shall be adjusted in accordance with the
23 methods prescribed in subsection five (5) of this
24 section. However, if the difference between the
25 dividends determined for agricultural or residential
26 properties and the dividend calculated for commercial
27 residential properties is less than four percent
28 according to the methods prescribed in subsection
29 five (5) of this section, the dividend for commercial
30 residential properties shall be adjusted in accordance
31 with the methods prescribed in subsection five (5)
32 of this section. For valuations established as of
33 January 1, 1982, and each year thereafter, the
34 percentage of actual value as equalized by the director
35 of revenue on or before October first as provided
36 by section four hundred forty-one point forty-nine
37 (441.49) of the Code, at which commercial residential
38 property shall be assessed shall be calculated in
39 accordance with the methods provided herein adjusted
40 to include the applicable and current values as
41 equalized by the director of revenue.

42 NEW SUBSECTION. For valuations established as
43 of January 1, 1981, against which taxes will be levied
44 by any special charter city, commercial residential
45 property shall be assessed at a percentage of actual
46 value. The percentage shall be determined by the
47 director of revenue and shall be the quotient of the
48 dividend and divisor as defined in this section.
49 The dividend shall be the total value of such property
50 in the special charter city established as of January

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1 1, 1980, adjusted for additions or deletions to said
2 value, excluding those resulting from the revaluation
3 of existing properties as equalized by the director
4 of revenue as reported by the assessors on the
5 abstracts of assessment submitted in 1981, plus four
6 percent of the 1980 equalized value of such property

7 or the amount of value added by the revaluation of
 8 existing properties as equalized by the director of
 9 revenue in 1981 whichever is less. The divisor shall
 10 be the total value of such property in the special
 11 charter city as reported by the assessors on the
 12 abstracts of assessment submitted in 1980, plus the
 13 amount of value added in 1981 by the revaluation of
 14 existing properties as equalized by the director of
 15 revenue. The percentage at which commercial
 16 residential property shall be assessed will be
 17 certified by the director of revenue on or before
 18 May 31, 1981, to the appropriate city official for
 19 special charter cities that levy and collect their
 20 own taxes. For valuations established as of January
 21 1, 1982, and each year thereafter for any special
 22 charter city that levies and collects its own taxes,
 23 the percentage of actual value as equalized by the
 24 director of revenue at which commercial residential
 25 property shall be assessed shall be calculated and
 26 certified in accordance with the methods provided
 27 herein adjusted to include the applicable and current
 28 values as equalized by the director of revenue.

29 NEW SUBSECTION. Not later than November first
 30 of each year or May thirty-first of each year for
 31 special charter cities, the assessor shall certify
 32 to the county auditor those properties not classified
 33 as commercial residential which consist in part of
 34 rental living quarters for human habitation. The
 35 assessors certification shall include the value of
 36 that portion of the property that is used for permanent
 37 rental human habitation. Such certified value for
 38 each property shall be subject to the assessment
 39 percentage determined for the class of commercial
 40 residential property pursuant to the provisions of
 41 this Act."

42 2. Renumber sections and correct internal
 43 references as are necessary in accordance with this
 44 amendment.

Roll call was requested by Brandt of Black Hawk and Jochum of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H-4285 be adopted?"

The ayes were, 44:

Anderson, R.
 Binneboese

Arnould
 Brandt

Avenson
 Bruner

Bina
 Byerly

Chiodo	Cochran	Connolly	Connors
Crawford	Cusack	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Dankø	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Howell	Hullinger	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenflager	Krewson
Lageschulte	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 2:

Larsen Stromer

Amendment H—4285 lost.

Spear of Lee asked and received unanimous consent to withdraw amendment H—4284 filed by him and Gettings of Wapello from the floor.

West of Marshall offered the following amendment H—4283 filed by him and Norland of Worth from the floor and moved its adoption:

H—4283

- 1 Amend House File 757 as follows:
- 2 1. Page 15, line 24, by striking the words "notify
- 3 by publication" and inserting in lieu thereof the
- 4 words "cause to be published".
- 5 2. Page 15, line 25, by striking the words "any
- 6 class or classes or property affected by an" and
- 7 inserting in lieu thereof the words "the final".

8 3. Page 15, lines 32 through 35, by striking the
9 words "The required percentage adjustments shall not
10 be applied to the property referred to in section
11 four hundred twenty-seven A point one (427A.1),
12 subsection six (6), of the Code."

13 4. Page 16, lines 12 through 15, by striking the
14 words ", and if the property owner is able to show
15 to the satisfaction of the local board of review that
16 an inequity would result if the provisions of the
17 order are applied to his or her property".

Amendment H—4283 was adopted.

Avenson of Fayette offered the following amendment H—4291
filed by him from the floor and moved its adoption:

H—4291

1 Amend House File 757 as follows:
2 1. Page 2, line 31, by inserting after the word
3 and period "year." the following: "However, a
4 percentage increase on a class of property shall not
5 be made in a year not subject to an equalization
6 order unless ordered by the department of revenue."

A non-record roll call was requested.

The ayes were 83, nays 4.

Amendment H—4291 was adopted.

Anderson of Jasper offered the following amendment H—4292
filed by Anderson of Jasper, Davitt, Norland, Cochran and Gettings
from the floor and moved its adoption:

H—4292

1 Amend House File 757 as follows:
2 1. Page 8, lines 3 and 4, by striking the words
3 "and the aggregate taxable value of all other
4 structures on agricultural land" and inserting in
5 lieu thereof the words "and the aggregate taxable
6 value of all other structures on agricultural land".
7 2. Page 8, line 5, by striking the words
8 "agricultural structures and" and inserting in lieu
9 thereof the words "agricultural structures and".
10 3. Page 8, line 8, by striking the words
11 "agricultural structures and" and inserting in lieu

- 12 thereof the words "agricultural structures and".
 13 4. Page 8, line 9, by striking the word "each"
 14 and inserting in lieu thereof the word "each".

Roll call was requested by Anderson of Jasper and Perkins of Greene.

On the question "Shall amendment H—4292 be adopted?"

The ayes were, 36:

Anderson, R.	Arnould	Avenson	Binneboese
Bruner	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Jay	Jesse	Jochum	Loneran
Miller	Norland	O'Kane	Oxley
Patchett	Perkins	Rapp	Sherzan
Spear	Wells	Welsh	Woods

The nays were, 58:

Anderson, J.	Bennett	Bina	Brandt
Branstad	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Holt	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pavich
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
West	Mr. Speaker		

Absent or not voting, 6:

Egenes	Hibbs	Hoffmann	Lloyd-Jones
Stromer	Welden		

Amendment H—4292 lost.

Van Maanen of Mahaska offered the following amendment H—4293 filed by him from the floor and moved its adoption:

H-4293

1 Amend House File 757 as follows:

2 1. Page 8, by inserting after line 25 the following
3 new section:

4 "Sec. 8. Section four hundred forty-one point twenty-
5 four (441.24); Code 1979, is amended by adding the
6 following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. However, all or part of
8 the penalty imposed under this section may be waived
9 by the board of review upon application to the board
10 by the assessor or the property owner. The waiver
11 or reduction in the penalty shall be allowed only on
12 the valuation of real property against which the
13 penalty has been imposed.

14 2. Page 17, by inserting after line 34 the following
15 new section:

16 "Sec. . . . When the board of review meets in special
17 session from October 15, 1979 to November 15, 1979 to hear
18 protests on property valuation which have been adjusted
19 in 1979 by the equalization order, the board shall also
20 review any application for waiver of reduction allowed
21 to be filed with the board under section eight (8) of
22 this Act."

23 3. Renumber sections and correct internal references
24 as are necessary in accordance with this amendment.

Amendment H-4293 was adopted.

Norland of Worth offered the following amendment H-4294
filed by him and West of Marshall from the floor and moved its
adoption:

H-4294

1 Amend House File 757 as follows:

2 1. Page 6, line 1, by inserting after the
3 word "herein" the following: "including the limita-
4 tion of increases in agricultural and residential
5 assessed values to the percentage increase of the
6 other class of property if the other class increases
7 less than the allowable limit".

Amendment H-4294 was adopted.

West of Marshall 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. 757)

The ayes were, 83:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Mr. Speaker	

The nays were, 16:

Arnould	Bruner	Byerly	Chiodo
Connolly	Hibbs	Jesse	Jochum
Krewson	Lloyd-Jones	Norland	Pope
Rapp	Sherzan	Smalley	Woods

Absent or not voting, 1:

Egenes

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 757)

West of Marshall asked and received unanimous consent to immediately message House File 757 to the Senate.

HOUSE FILE 155 WITHDRAWN

Thompson of Polk asked and received unanimous consent to withdraw House File 155 from further consideration by the House.

MOTION TO RECONSIDER PREVAILED
(House File 418)

Stromer of Hancock called up for consideration the motion to reconsider House File 418, filed on April 30, 1979, and moved to reconsider the vote by which House File 418, a bill for an act relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another, passed the House and was placed on its last reading on April 30, 1979.

A non-record roll call was requested.

The ayes were 80, nays 3.

The motion prevailed and the House reconsidered House File 418.

Stromer of Hancock called up for consideration his motion to reconsider the Senate amendment H-4050, found on pages 1716 and 1717 of the House Journal, and moved to reconsider the vote by which the House concurred in the Senate amendment H-4050 on April 30, 1979.

A non-record roll call was requested.

The ayes were 81, nays 2.

The motion prevailed.

Crawford of Story offered the following amendment H-4224, to the Senate amendment H-4050, filed by him and moved its adoption:

H-4224

- 1 Amend the Senate amendment, H-4050, to House File
- 2 418 as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by inserting after line 2 the following:
- 5 "1. Page 1, lines 11 and 12, by striking the words
- 6 "or other established political boundaries or natural
- 7 geographic divisions" and inserting in lieu thereof
- 8 the word "boundaries"."
- 9 2. Page 1, by striking line 12 and inserting in

10 lieu thereof the following:

11 "Sec. 3. Section two hundred seventy-five point
12 thirty-eight (275.38), Code 1979, is amended to read
13 as follows:

14 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

15 If change in the method of election of school directors
16 is approved at a regular or special school election,
17 the directors who were serving unexpired terms or
18 were elected concurrently with approval of the change
19 of method shall serve out the terms for which they
20 were elected. If the plan adopted is that described
21 in section 275.12, subsection 2, paragraph "b," "c"
22 or, "d," or section one (1) of this Act the board
23 shall at the earliest practicable time designate the
24 districts from which residents are to be elected as
25 school-directors at each of the next three succeeding
26 annual school elections, arranging so far as possible
27 for elections of directors as residents of the
28 respective districts to coincide with the expiration
29 of terms of incumbent members residing in those
30 districts. If an increase in the size of the board
31 from five to seven members is approved concurrently
32 with the change in method of election of directors,
33 the board shall make the necessary adjustment in the
34 manner prescribed in section 275.37, as well as
35 providing for implementation of the districting plan
36 under this section.

37 Sec. 4. Section two hundred seventy-eight point".

38 3. Page 1, line 26, by striking the figure "4"
39 and inserting in lieu thereof the figure "5".

Amendment H—4224 was adopted.

Stromer of Hancock offered the following amendment H—4222,
to the Senate amendment H—4050, filed by him and moved its
adoption:

H—4222

1 Amend the Senate amendment, H—4050, to House File
2 418 as amended, passed and reprinted by the House,
3 as follows:

4 1. Page 1, by striking lines 6 through 9 and
5 inserting in lieu thereof the words "the words "If
6 a proposition for a change in the number of directors
7 or in the method of election of school directors
8 submitted to the voters under this section is rejected,
9 it shall not be resubmitted to the voters of the
10 district in substantially the same form within the
11 next three years; if it is approved, no other proposal

12 may be submitted to the voters of the district under
 13 this section within the next six years." "
 14 2. Page 1, by striking lines 17 through 25 and
 15 inserting in lieu thereof the words "director
 16 districts. If a proposition submitted to the voters
 17 under this subsection or subsection eight (8) of this
 18 section is rejected, it may not be resubmitted to
 19 the voters of the district in substantially the same
 20 form within the next three years; if it is approved,
 21 no other proposal may be submitted to the voters of
 22 the district under this subsection or subsection eight
 23 (8) of this section within the next six years."

Amendment H — 4222 was adopted.

On motion by Stromer of Hancock, the House concurred in the Senate amendment H — 4050, as amended.

Chiodo of Polk 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 418)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Lopergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellet	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 2:

Lind Tyrrell

Absent or not voting, 4:

Cochran Egenes Schroeder Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 418)

Chiodo of Polk asked and received unanimous consent to immediately message House File 418 to the Senate.

HOUSE INSISTS

Evans of Grundy called up for consideration Senate File 344, a bill for an act relating to access to and use of solar energy, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

IMMEDIATE MESSAGE
(Senate File 344)

Evans of Grundy asked and received unanimous consent to immediately message Senate File 344 to the Senate.

CONFERENCE COMMITTEE APPOINTED
(Senate File 344)

The Speaker announced the appointment of the following members to consider the differences between the House and Senate concerning Senate File 344: Evans of Grundy, Chair; McKean of Jones, Mullins of Kossuth, Howell of Floyd and Rapp of Black Hawk.

SENATE AMENDMENTS CONSIDERED

Krewson of Polk called up for consideration **House File 174**, a bill for an act relating to the membership of the boards of adjustment of cities, amended by the Senate amendment H-3828, re-

ceived from the Senate on April 10 and found on pages 1478 and 1479 of the House Journal and moved that the House concur in the Senate amendment H—3828.

The motion prevailed and the House concurred in the Senate amendment H—3828.

Krewson 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 174)

The ayes were, 98:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Egenes

Stromer

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hibbs of Johnson called up for consideration **House File 172**, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits, amended by the Senate amendment H-4181, received from the Senate on April 30 and found on page 1902 of the House Journal.

Welsh of Dubuque asked and received unanimous consent to withdraw amendment H-4243, to the Senate amendment H-4181, filed by him on May 2, 1979.

Connolly of Dubuque offered the following amendment H-4244, to the Senate amendment H-4181, filed by him and moved its adoption:

H-4244

- 1 Amend the Senate amendment H-4181 to House File
- 2 172 as amended, passed, and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking line 15, and inserting
- 5 in lieu thereof the words "ments or replacements
- 6 will be disclosed."
- 7 2. Page 1, by striking lines 18 and 19, and
- 8 inserting in lieu thereof the words "of a material
- 9 fact."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 49, nays 41.

Amendment H-4244 was adopted.

On motion by Hibbs of Johnson, the House concurred in the Senate amendment H-4181, as amended.

Hibbs of Johnson 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 172)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Evans	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, R.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	Oxley	Patchett	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Schnekloth	Schroeder	Sherzan
Shull	Smalley	Spear	Thompson
Tofte	Van Maanen	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 11:

Bruner	Cusack	Gettings	Jay
Johnson, W.	O'Kane	Pavich	Ritsema
Shimaneck	Tyrrell	Walter	

Absent or not voting, 6:

Avenson	Egenes	Harbor	Stromer
Swearingen	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 172)

Hibbs of Johnson asked and received unanimous consent to immediately message House File 172 to the Senate.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 149)

Crawford of Story asked and received unanimous consent to

withdraw the motion to reconsider Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council, filed by him on April 17, 1979.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House File 679 and Senate Files 487 and 362.

HOUSE INSISTS

Hoffmann of Muscatine called up for consideration House File 679, a bill for an act establishing a committee to review the regulation of occupations, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

IMMEDIATE MESSAGE

(House File 679)

Hoffmann of Muscatine asked and received unanimous consent to immediately message House File 679 to the Senate.

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 on May 4, 1979, 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 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties.

Also: That the Senate has on May 4, 1979, 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 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Also: That the Senate has on May 4, 1979, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 487, a bill for an act providing an appropriation to state agencies for designated service programs including health programs.

Also: That the Senate has on May 4, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 497, a bill for an act to make a supplemental appropriation to the department of social services for the medical assistance, foster care and homemaker services programs.

Also: That the Senate has on May 4, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 498, a bill for an act making a supplemental appropriation to the state board of regents for the purpose of supplementing existing appropriations for fuel and purchased electricity.

FRANK J. STORK, Secretary

SENATE MESSAGES CONSIDERED

Senate File 497, a bill for an act to make a supplemental appropriation to the department of social services for the medical assistance, foster care and homemaker services programs.

Read first time and referred to committee on **appropriations**.

Senate File 498, a bill for an act making a supplemental appropriation to the state board of regents for the purpose of supplementing existing appropriations for fuel and purchased electricity during the fiscal year beginning July 1, 1978.

Read first time and referred to committee on **appropriations**.

CONFERENCE COMMITTEE APPOINTED (House File 679)

The Speaker announced the appointment of the following members to consider the differences between the House and Senate concerning House File 679: Hoffmann of Muscatine, Chair; Brandt of Black Hawk, Crawford of Story, Halvorson of Webster and Hansen of O'Brien.

SENATE AMENDMENT CONSIDERED

Bennett of Ida called up for consideration **Senate File 487**, a bill for an act appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4298 to the House amendment:

H-4298

- 1 Amend the House amendment, S-3646, to Senate File
- 2 487 as amended, passed and reprinted by the Senate.
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 14 and
- 5 inserting in lieu thereof the following:
- 6 " Page 3, by inserting after line 26 the
- 7 following unnumbered paragraph:
- 8 "The funds appropriated by this subsection are
- 9 contingent upon the board of pharmacy examiners giving
- 10 notice pursuant to section seventeen A point four
- 11 (17A.4), subsection one (1), paragraph a of the Code,
- 12 of its intent to adopt administrative rules
- 13 establishing a research program for the medicinal
- 14 use of marijuana. The program shall be established
- 15 within ninety days of the effective date of this Act.
- 16 The board shall organize an advisory group of
- 17 physicians, which shall include a psychiatrist, to
- 18 advise the board on the type of program to be
- 19 established, the qualifications of those who will
- 20 be eligible to dispense the marijuana, and the federal
- 21 regulations governing the program. The board shall
- 22 be responsible for complying with all federal
- 23 regulations necessary for the establishment and
- 24 continuation of the program and the monitoring of
- 25 all program participants. The board shall not
- 26 authorize the growing of marijuana within the state."
- 27 2. Page 1, by striking line 21 and inserting in
- 28 lieu thereof the words "rules of the board of pharmacy
- 29 examiners for medicinal".
- 30 3. Page 1, by striking line 24 and inserting in
- 31 lieu thereof the words "provided by rules of the board
- 32 of pharmacy examiners".
- 33 4. Page 1, by striking line 33 and inserting in
- 34 lieu thereof the words "board of pharmacy examiners."
- 35 5. Page 1, by striking line 41 and inserting in
- 36 lieu thereof the words "rules of the board of pharmacy
- 37 examiners."

The motion prevailed and the House concurred in the Senate amendment H—4298, to the House amendment.

Bennett of Ida 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 487)

The ayes were, 68:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Cusack	Davitt	Dieleman
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Hibbs	Horn	Howell	Hullinger
Hummel	Jay	Jochum	Johnson, R.
Kirkenslager	Krewson	Lageschulte	Larsen
Lloyd-Jones	Loneragan	Lorenzen	Lura
McKean	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schroeder	Sherzan	Shimanek
Shull	Spear	Thompson	Walter
Wells	Welsh	West	Woods

The nays were, 26:

Anderson, J.	Corey	Crabb	Daggett
Danker	De Groot	Diemer	Doyle
Hansen, I.	Hinkhouse	Hoffmann	Holt
Husak	Johnson, J.	Johnson, W.	Lind
Maulsby	Menke	Pellett	Pelton
Schnekloth	Smalley	Swearingen	Tyrrell
Van Maanen	Mr. Speaker		

Absent or not voting, 6:

Crawford	Harbor	Jesse	Stromer
Tofte,	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

West of Marshall offered amendment H—4279 filed by the committee on appropriations on May 4, 1979 and found on page 2077 of the House Journal and moved its adoption:

Amendment H—4279 was adopted.

Welden of Hardin offered the following amendment H—4281 filed by him and moved its adoption:

H—4281

- 1 Amend Senate File 362, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 8 through 12.

Amendment H—4281 was adopted.

Perkins of Greene offered the following amendment H—4301 filed by him from the floor and moved its adoption:

H—4301

- 1 Amend Senate File 362 as follows:
- 2 1. Page 2, by inserting after line 4 the
- 3 following:
- 4 "5. To be eligible for the loans, the local
- 5 development corporation may not construct a building
- 6 which is located in violation of the zoning ordinances
- 7 of a county which has a county zoning commission
- 8 appointed pursuant to chapter three hundred fifty-
- 9 eight A (358A) of the Code, or which is located beyond
- 10 the limits to which a city has extended its zoning
- 11 ordinances pursuant to section four hundred fourteen
- 12 point twenty-three (414.23) of the Code."
- 13 2. Page 2, line 5, by striking the figure "5"
- 14 and inserting in lieu thereof the figure "6".

Roll call was requested by Perkins of Greene and Avenson of Fayette.

Rule 80 was invoked.

On the question "Shall amendment H—4301 be adopted?"

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiòdo	Clark, B.J.	Cochran	Connolly
Connors	Corey	Crawford	Cusack
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Krewson	Larsen
Lloyd-Jones	Loneragan	McKean	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Smalley	Spear	Walter	Wells
Welsh	Woods		

The nays were, 47:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Crabb	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Lind	Lorenzen	Maulsby	Menke
Miller	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklloth	Schroeder
Shimanek	Shull	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Doyle	Husak	Lura
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Amendment H—4301 was adopted.

West of Marshall 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. 362)

The ayes were, 88:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 9:

Anderson, J.	Corey	De Groot	Lorenzen
Lura	Maulsby	Ritsema	Tyrrell
Weiden			

Absent or not voting, 3:

Husak	Poffenberger	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.

IMMEDIATE MESSAGE
(Senate File 362)

West of Marshall asked and received unanimous consent to immediately message Senate File 362 to the Senate.

MOTION TO RECONSIDER WITHDRAWN
(House File 693)

Rapp of Black Hawk called up for consideration the motion to

reconsider **House File 693**, a bill for an act providing for an individual income tax rebate for 1978 taxes and making an appropriation, filed by him on May 3, 1979 and moved that action on the motion to reconsider be deferred until 10:00 a.m., Friday, May 11, 1979.

A non-record roll call was requested.

The ayes were 43, nays 54.

The motion lost.

Rapp of Black Hawk asked and received unanimous consent to withdraw his motion to reconsider House File 693.

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 647

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 647, a bill for an act relating to the compensation of township trustees and township clerks, respectfully make the following report:

1. That the Senate recede from its amendment H-3992 to House File 647 as amended, passed and reprinted by the House.

2. That House File 647 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, by striking line 35 and inserting in lieu thereof the words "the same rate as the pay rate of a township".

2. Page 2, by inserting after line 1, the following:

"Sec. . . A county supervisor who before May 1, 1979, accepted an appointment to any appointive board, commission or committee of this state or a political subdivision of this state may continue to hold the office of county supervisor and membership on the board, commission or committee until the expiration of his or her term as county supervisor or July 1, 1981, whichever occurs first."

3. Amend the title, by striking lines 1 and 2 and inserting in lieu thereof the following: "An act relating to service and compensation for service in county and township government."

ON THE PART OF THE HOUSE:

ARLYN E. DANKER, Chair
RAY LAGESCHULTE
CLIFFORD BRANSTAD
DONALD H. BINNEBOESE
ARLO HULLINGER

ON THE PART OF THE SENATE:

JOHN N. NYSTROM, Chair
JAMES E. BRILES
JACK W. HESTER

HOUSE CONCURRENT RESOLUTION 22
By Appropriations Subcommittee on Social Services

1 *Whereas*, the provision of cost effective rehabilitation,
 2 residential treatment and social services to all disabled and
 3 disadvantaged citizens of Iowa is of concern to all Iowans;
 4 and
 5 *Whereas*, the costs of all types of social services have
 6 risen dramatically, not only due to inflation, but also due
 7 to more effective identification of persons with genuine
 8 needs and eligibility for the services available; and
 9 *Whereas*, community based services in many Iowa communities
 10 have demonstrated their ability to provide cost effective
 11 services and avoid unnecessary institutionalization; and
 12 *Whereas*, services in institutional settings have also
 13 escalated in cost while providing care in the most restrictive
 14 environment; and
 15 *Whereas*, the amount of federal money under Title XX and
 16 other programs has not grown with the escalating costs of
 17 providing the services; and
 18 *Whereas*, inflation will continue to be a problem in
 19 providing social services with additional escalations in
 20 the minimum wage already scheduled for January 1, 1980, and
 21 January 1, 1981; and
 22 *Whereas*, the funding of rehabilitation, residential
 23 treatment and social services comes from a variety of
 24 federal, state, and local sources; *Now Therefore*,
 25 *Be It Resolved by the House of Representatives; the*
 26 *Senate Concurring*, That the Legislative Council is respect-
 27 fully urged to create a study committee composed of members
 28 of the Joint Social Services Appropriations Subcommittee
 29 of the House and Senate of the sixty-eighth general assembly,
 30 representing both political parties, to review the need for
 31 Title XX social services by Iowans of all ages, the total
 32 dollars available from federal, state and local sources, the

Page 2

1 legislative priorities, and the problem of costs confronting
 2 the service providers; and
 3 *Be It Further Resolved*, That the study committee shall
 4 make every effort to cooperate with and receive input from
 5 the Department of Social Services, the State Title XX
 6 Advisory Committee, and contract providers and their
 7 associations on the problems under study; and
 8 *Be It Further Resolved*, That the study committee shall
 9 prepare a report of its findings and submit it to the
 10 Legislative Council and the members of the sixty-eighth
 11 general assembly, 1980 session.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 23
By Appropriations Subcommittee on Social Services

1 *Whereas*, the quality of care for elderly citizens of
2 Iowa is of concern to all Iowans; and
3 *Whereas*, the costs of all types of medical care have
4 risen dramatically over the past several years; and
5 *Whereas*, the minimum wage has risen by 9.4 percent
6 since January 1978 and will rise another 6.9 percent in
7 January, 1980; and
8 *Whereas*, the current average cost of care in a residential
9 facility is \$14.96; and
10 *Whereas*, it has been brought to the attention of the
11 1979 Joint Social Services Appropriations Subcommittee
12 that the costs of providing residential care are outstripping
13 the state reimbursement rates under the State Supplemental
14 Security Income Program; and
15 *Whereas*, the same conditions increasing costs also
16 exist in relation to the provision of skilled nursing care;
17 and
18 *Whereas*, the number of facilities choosing to become
19 licensed as skilled care facilities is very small resulting
20 in an apparent shortage of skilled care beds; and
21 *Whereas*, it has been brought to the attention of the
22 Joint Social Services Appropriations Subcommittee that this
23 shortage of skilled care facilities may be due in part to
24 the policies and funding practices of the state; *Now,*
25 *Therefore,*
26 *Be It Resolved by the House of Representatives, the*
27 *Senate Concurring,* That the Legislative Council is respect-
28 fully urged to create a study committee composed of members
29 of the Joint Appropriations Subcommittee on Social Services
30 of the House and Senate of the sixty-eighth general assembly,
31 representing both political parties, to conduct a study
32 during the 1979 interim on the policies relating to and the
33 reimbursement and rate system for residential and skilled
34 care facilities in this state; and

Page 2

1 *Be It Further Resolved,* That the study committee
2 shall make every effort to cooperate with and receive
3 input from the Department of Social Services, nursing
4 care provider groups and consumers on the problems facing
5 residential and skilled care facilities; and
6 *Be It Further Resolved,* That the study committee
7 shall prepare a report of its findings and submit it to
8 the Legislative Council and the members of the sixty-
9 eighth general assembly, 1980 session.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 24
By Appropriations Subcommittee
on Social Services

1 *Whereas*, the state of Iowa owns 5,000 acres of
2 agricultural land around its institutions; and
3 *Whereas*, over 4,000 acres of this land is currently
4 being leased to private farm operators; and
5 *Whereas*, being owned by the state, this land does
6 not appear on the local property tax rolls; and
7 *Whereas*, the programs of the institutions involved
8 are not deriving any benefit from this land; and
9 *Whereas*, the Appropriations Subcommittee on Social
10 Services is aware of evidence that farm operations on
11 this land could be of possible financial and program
12 benefit to the institutions; *Now Therefore*,
13 *Be It Resolved By The House Of Representatives, The*
14 *Senate Concurring*, That the Legislative Council is respect-
15 fully urged to create a study committee composed of
16 members of the Joint Appropriations Subcommittee on Social
17 Services and members of the Human Resources Standing
18 Committee of both the Senate and the House of the sixty-
19 eighth general assembly, representing both political parties,
20 to conduct a study during the 1979 interim on the feasibility
21 of selling some or all of the state-owned farmland or of
22 returning this land to farming operations run for and by
23 the state institutions; and
24 *Be It Further Resolved*, That the study committee shall
25 prepare a report of its findings and submit it to the
26 Legislative Council and the members of the sixty-eighth
27 general assembly, 1980 session, accompanied by legislative
28 bill drafts designed to carry out the recommendations of
29 the interim study committee.

Laid over under Rule 30.

UNANIMOUS CONSENT CALENDAR
(House Resolution 38)

We hereby respectfully request that House Resolution 38, filed on Wednesday, May 2, 1979 and found on pages 1997 and 1998 of the House Journal, be placed on the unanimous consent calendar.

LIND of Black Hawk
BRANDT of Black Hawk
RAPP of Black Hawk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 7th day of May, 1979: House File 81.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 4, 1979, he approved and transmitted to the Secretary of State the following bills:

House File 61, an act providing that a defendant awaiting a judgment of conviction and sentencing or appealing a conviction for a class A felony shall not be admitted to bail.

House File 131, an act to increase the maximum interest rate applicable to certain tax anticipatory warrants to six percent.

House File 468, an act to provide a procedure for leasing a portion of a school building.

House File 470, an act to provide that foster children and foster parents stand in the same relationship as children and their natural parents for certain purposes.

House File 704, an act to legalize proceedings taken by the Board of Supervisors of Appanoose County.

House File 710, an act to legalize the proceedings of the City of Havelock, Iowa in connection with the letting of certain contracts.

House File 713, an act to legalize and validate the proceedings of the Menlo Community School District relative to the exchange of certain real property.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

One hundred thirty fifth grade students from Red Oak Community School, Red Oak, Iowa, accompanied by Mr. Krabbenhoft, Mrs. Palm, Mr. Fehring and Mrs. Timmerman. By Harbor of Mills.

Thirty-four sixth grade students from Lakeview-Auburn Elementary School, Lakeview, Iowa, accompanied by Linda Cleveland and Marge Gronenmeyer. By Maulsby of Calhoun and Bennett of Ida.

Twenty fourth grade students from Crawford Elementary School, Ames, Iowa, accompanied by Betty Callison. By Bruner of Story and Crawford of Story.

Sixteen senior students from Bondurant-Farrar Junior-Senior High School, Bondurant, Iowa, accompanied by Randy Flack. By Crawford of Story and Sherzan of Polk.

Twenty-one eighth grade students from East Monona Junior-Senior High School, Moorehead, Iowa, accompanied by Sheryl Wesack and Linda McQueen. By Crabb of Crawford.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on May 4. Had I been present, I would have voted "aye" on House Files 749, 460 and Senate Files 475, 204, 163, 39 and 425.

CONNOLLY of Dubuque

I inadvertently voted "aye" on amendment H-4240C to House File 755 on May 3, 1979. I should have voted "nay."

DE GROOT of Lyon

Due to my membership on the National Conference of State Legislatures (N.C.S.L.) Arts Task Force, I was attending the fourth regional meeting in New York City on Friday, May 4. Had I been present, I would have voted "aye" on House Files 460, 749 and Senate Files 39, 163, 204, 425 and 475.

BINA of Scott

I was necessarily absent from the House chamber on May 7. Had I been present, I would have voted "aye" on House File 693.

POFFENBERGER of Dallas

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 488, a bill for an act relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored.

Recommended Amend and Do Pass.

H-4295

- 1 Amend Senate File 488 as follows:
- 2 1. Page 3, lines 31 and 32, by striking the words
- 3 "class "D" felony" and inserting in lieu thereof the
- 4 words "class "D" felony fraudulent practice".
- 5 2. Page 4, line 1, by striking the words "to
- 6 supply information,".
- 7 3. Page 4, line 5, by striking the words ", supply
- 8 the information".
- 9 4. Page 4, by striking lines 8 through 13.
- 10 5. Page 5, line 35, by striking the words "class
- 11 "D" felony" and inserting in lieu thereof the words
- 12 "fraudulent practice".
- 13 6. Page 6, line 1, by striking the words "to
- 14 supply information,".
- 15 7. Page 6, lines 3 and 4, by striking the words
- 16 ", supply the information".

Committee Bill (Formerly House File 55), a bill for an act to provide a refund of sales and use tax paid on industrial machinery and equipment and certain personal property used for agricultural purposes and making an appropriation.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H-4290	H.F. 758	Miller of Buchanan
H-4296	S.F. 485	Groth of Buena Vista
		Johnson of Howard
		Kirkenslager of Des Moines
		Connors of Polk
		Jochum of Dubuque
		Conlon of Muscatine
		Johnson of Woodbury
		Doyle of Woodbury
		Crabb of Crawford
		Arnould of Scott
		Hinkhouse of Cedar
		Pavich of Pottawattamie
		Jay of Appanoose
		Brandt of Black Hawk
H-4297	H.F. 734	Tofte of Winneshiek
		Davitt of Warren
		Mullins of Kossuth
		Corey of Louisa
H-4299	H.F. 734	Pellett of Cass
		Harbor of Mills
		Perkins of Greene
		Husak of Tama
H-4300	H.F. 734	Avenson of Fayette
H-4302	H.F. 734	Lageschulte of Bremer
H-4303	H.F. 747	Poffenberger of Dallas
H-4304	H.F. 747	Poffenberger of Dallas
H-4305	H.F. 747	Gettings of Wapello
		Binneboese of Plymouth
		Walter of Pottawattamie
H-4306	H.F. 421	Pope of Polk
		Shull of Warren
		Hullinger of Decatur
H-4307	H.F. 758	Bruner of Story
H-4308	H.F. 734	Howell of Floyd
H-4309	H.F. 747	O'Kane of Woodbury
H-4310	S.F. 494	Bruner of Story
H-4311	H.F. 758	Daggett of Taylor
		Bruner of Story

On motion by Halvorson of Clayton the House adjourned at 5:31 p.m., until 9:00 a.m., Tuesday, May 8, 1979.

JOURNAL OF THE HOUSE

One Hundred Twenty-first Calendar Day — Eighty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 8, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Calvin Schumacher, pastor of the United Church of Christ, Clarence, Iowa.

The Journal of Monday, May 7, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Boldt, Ackley, 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 on May 2, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 660, a bill for an act relating to the financing of elementary and secondary schools including computation of budget enrollment.

Also: That the members of the conference committee on the part of the Senate, appointed May 8, 1979, for House File 679, a bill for an act establishing a committee to review the regulation of occupations, are: The Senator from Scott, Senator Holden, Chair; the Senator from Lee, Senator Junkins; the Senator from Boone, Senator Nystrom; the Senator from Jefferson, Senator Schwengels; and the Senator from Pottawattamie, Senator Slater.

Also: That the Senate has, on May 7, 1979, insisted on its amendment to House File 723, a bill for an act relating to access to certain sealed records for the purpose of locating county of birth by an adult adopted person, and the members of the conference committee on the part of the Senate, appointed May 8, 1979, are: The Senator from Polk, Senator Gentleman, Chair; the Senator from Dubuque, Senator Carr; the Senator from Montgomery, Senator Hultman; the Senator from Cerro Gordo, Senator Miller; and the Senator from Clarke, Senator Ramsey.

Also: That the Senate has on May 4, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 737, a bill for an act relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land.

Also: That the Senate has on May 7, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 738, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

Also: That the members of the conference committee on the part of the Senate, appointed May 8, 1979, for Senate File 344, a bill for an act relating to access to and use of solar energy, are: The Senator from Clark, Senator Ramsey, Chair; the Senator from Black Hawk, Senator Gallagher; the Senator from Linn, Senator Kudart; the Senator from Polk, Senator Readinger; and the Senator from Pocahontas, Senator Scott.

Also: That the Senate has on May 4, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 471, a bill for an act providing an appropriation to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO
HOUSE FILE 660

H-4312

- 1 Amend House File 660 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, lines 2 and 3, by striking the words
- 4 and figures "paragraphs four (4) and five (5), Code
- 5 1979, are" and inserting in lieu thereof the words
- 6 and figures "paragraph five (5), Code 1979, is".
- 7 2. Page 1, by striking lines 4 through 7.
- 8 3. Page 1, by striking lines 17 through 22 and
- 9 inserting in lieu thereof the following: "the
- 10 September basic enrollment is determined by counting
- 11 the pupils in the same manner and to the same extent
- 12 that they are counted in determining basic enrollment,
- 13 but substituting the count in the budget year for
- 14 the count in the base year."
- 15 4. Page 2, line 10, by striking the words "thirty-
- 16 three and one-third" and inserting in lieu thereof
- 17 the word "twenty-five".
- 18 5. Page 2, line 12, by striking the words "sixty-
- 19 six and two-thirds" and inserting in lieu thereof

- 20 the word "seventy-five".
- 21 6. Page 2, line 24, by inserting after the word
22 "hundred" the words "four percent for the budget
23 school year beginning July 1, 1980, and one hundred".
- 24 7. Page 2, line 24, by inserting after the word
25 "percent" the words "for the budget school year
26 beginning July 1, 1981".
- 27 8. Page 2, lines 33 and 34, by striking the words
28 "the one hundred three percent" and inserting in lieu
29 thereof the words "that one hundred four percent
30 amount for the budget school year beginning July 1,
31 1980, and that one hundred three percent amount for
32 the budget school year beginning July 1, 1981".
- 33 9. Page 3, line 6, by inserting after the figure
34 "281.9" the words and figure "and the supplementary
35 weighting plan in chapter four hundred forty-two (442)
36 of the Code".
- 37 10. Page 3, by inserting before line 7 the
38 following section:
- 39 "Sec. . Section four hundred forty-two point
40 five (442.5), subsection one (1), paragraph a, Code
41 1979, is amended to read as follows:
- 42 a. "Miscellaneous income" means all receipts
43 deposited to the general fund of a school district
44 which are not obtained from state aid provided under
45 section 442.1 or ~~442.11~~, or from property tax
46 authorized under section 442.2 or 442.9. Miscellaneous
47 income includes property tax levied under the
48 provisions of section 613A.7, to fund the costs of
49 tort liability insurance for the school district."
- 50 11. Page 3, by striking lines 8 through 11 and

Page 2

- 1 inserting in lieu thereof the following: "subsection
2 one (1), paragraph a, Code 1979, is amended by striking
3 the paragraph and inserting in lieu thereof the
4 following:
- 5 a. The difference in the receipts of state general
6 fund revenues computed or estimated as follows:
- 7 (1) The percentage of change between the revenues
8 received during the year preceding the base year and
9 the revenues received during the base year.
- 10 (2) The percentage of change between the revenues
11 received during the base year and the revenues received
12 during the budget year."
- 13 12. Page 3, by striking lines 13 through 20 and
14 inserting in lieu thereof the following: "subsection
15 one (1), paragraph b, Code 1979, is amended by striking
16 the paragraph and inserting in lieu thereof the
17 following:

18 b. The difference in the consumer price index
 19 published by the bureau of labor statistics, United
 20 States department of labor computed or estimated as
 21 a percentage of change for the following:

22 (1) From the index for January eighteen months
 23 prior to the beginning of the base year to the index
 24 for January six months prior to the beginning of the
 25 base year.

26 (2) From the index for January six months prior
 27 to the beginning of the base year to the index for
 28 January six months prior to the beginning of the
 29 budget year."

30 13. Page 3, by striking lines 21 through 27.

31 14. Page 3, by striking line 32 and inserting
 32 in lieu thereof the words and numerals "this section,
 33 for the school years beginning July 1, 1980, July
 34 1, 1981, and July 1, 1982 only."

35 15. Page 4, by inserting before line 1 the follow-
 36 ing:

37 "Sec. . . Section four hundred forty-two point
 38 seven (442.7), subsection five (5), paragraph a, Code
 39 1979, is amended to read as follows:

40 a. If the state cost per pupil in the base year
 41 minus the amount included in the state cost per pupil
 42 in the base year to compensate for the cost of special
 43 education support services exceeds the district cost
 44 per pupil in the base year minus the amount included
 45 in the district cost per pupil in the base year to
 46 compensate for the cost of special education support
 47 services, the basic allowable growth per pupil for
 48 the budget year is modified to equal the lesser of
 49 one hundred ~~twenty-five~~ ten percent of the product
 50 obtained by multiplying the state percent of growth

Page 3

1 for the budget year times an amount equal to the state
 2 cost per pupil for the base year less the average
 3 amount for special education support service costs
 4 per pupil for the base year or an amount sufficient
 5 to equalize the district cost per pupil in the budget
 6 year, excluding the district's amount per pupil for
 7 special education support service costs, with the
 8 state cost per pupil in the budget year, excluding
 9 the average amount per pupil for special education
 10 support service costs.

11 Sec. . . Section four hundred forty-two point
 12 eight (442.8), Code 1979, is amended to read as
 13 follows:

14 442.8 STATE COST PER PUPIL. As used in this
 15 chapter, "state cost per pupil" for the school year

16 beginning July 1, 1975, and subsequent school years
 17 means state cost per pupil in weighted enrollment.
 18 The state cost per pupil for the school year beginning
 19 July 1, 1972, is nine hundred three dollars. The
 20 state cost per pupil for the school year beginning
 21 on July 1, 1973, and for each succeeding school year
 22 is the base year's state cost per pupil plus the
 23 allowable growth for the budget year. If the state
 24 percent of growth is zero, the state cost per pupil
 25 shall be the same as the base year's state cost per
 26 pupil.

27 However, for the budget years beginning July 1,
 28 1980, July 1, 1981, July 1, 1982, and July 1, 1983,
 29 the state cost per pupil shall equal the base year's
 30 state cost per pupil plus the allowable growth for
 31 the budget year plus an adjustment to the state cost
 32 per pupil. For the budget years beginning July 1,
 33 1980, July 1, 1981, July 1, 1982, and July 1, 1983,
 34 the adjustment to the state cost per pupil is twenty
 35 dollars per pupil, six dollars per pupil, seven dollars
 36 per pupil, and eight dollars per pupil, respectively.

37 For each school year subsequent to the school year
 38 beginning July 1, 1975, the allowable growth added
 39 to the state cost per pupil as otherwise computed
 40 under section 442.7 shall be the basic allowable
 41 growth increased by an amount equal to the average
 42 of the amounts of allowable growth added for each
 43 school district in the state for additional special
 44 education support services needed for that year to
 45 serve newly identified children who require the
 46 services, under sections 273.9, subsection 3 and
 47 442.7, subsection 5, paragraph "d". The state
 48 comptroller shall compute the applicable amount of
 49 allowable growth to be added to the state cost per
 50 pupil for each school year."

Page 4

1 16. Page 6, by striking line 2 and inserting in
 2 lieu thereof the words and figures "eight (442.28),
 3 unnumbered paragraphs one (1) and two (2), Code 1979,
 4 are".

5 17. Page 6, by striking lines 4 through 25 and
 6 inserting in lieu thereof the following:

7 "If a district's weighted actual enrollment on
 8 the second Friday of September in for the budget year,
 9 determined in the same manner as the September weighted
 10 enrollment is determined under section 442.4, is
 11 higher than its weighted adjusted enrollment on the
 12 second Friday of September in the base year for the
 13 budget year, the district is entitled to an advance

14 from the state of an amount equal to its district
 15 cost per pupil less the amount per pupil for special
 16 education support services, media services and other
 17 services computed as a part of district cost under
 18 the provisions of section 442.7 and section 442.27
 19 for the budget year multiplied by its increase in
 20 weighted enrollment the difference between the actual
 21 enrollment for the budget year and the budget
 22 enrollment for the budget year. The advance shall
 23 be miscellaneous income.

24 If a district receives an advance under this section
 25 for a budget year, the state comptroller shall
 26 determine the amount of the advance which would have
 27 been met by local property tax revenues if the
 28 September weighted actual enrollment for the budget
 29 year had been used in determining district cost for
 30 that budget year, less the amount of the adjustment
 31 to the district cost for increases in the weighted
 32 enrollment made in the first paragraph in this section,
 33 shall reduce the district's total state school aids
 34 available under this chapter for the next following
 35 budget year by the amount so determined, and shall
 36 increase the district's tax levy computed under section
 37 442.9, for the next following budget year by the
 38 amount necessary to compensate for the reduction in
 39 state aid, so that the local property tax for the
 40 next following year will be increased only by the
 41 amount which it would have been increased in the
 42 budget year if the September weighted actual enrollment
 43 could have been used to establish the levy less the
 44 amount of the adjustment to the district cost for
 45 increases in the weighted enrollment made in the first
 46 paragraph in this section."

47 18. Page 6, by inserting before line 26 the
 48 following section:

49 "Sec. Chapter four hundred forty-two (442),
 50 Code 1979, is amended by adding the following new

Page 5

1 section:
 2 **NEW SECTION. ADVANCE FOR SPECIAL EDUCATION.** If
 3 a school district's additional enrollment because
 4 of special education determined by the district on
 5 the second Friday of September in the budget year
 6 is greater than its additional enrollment because
 7 of special education determined by the district on
 8 the second Friday of September in the base year, the
 9 school district is entitled to an advance from the
 10 state of an amount equal to its district cost per
 11 pupil for the budget year less the amount per pupil
 12 for special education support services, computed as

13 a part of district cost under section four hundred
14 forty-two point seven (442.7) of the Code for the
15 budget year multiplied by the district's increase
16 in additional enrollment because of special education.
17 The advance shall be miscellaneous income.

18 For the purpose of this section, a school district's
19 additional enrollment because of special education
20 is determined by multiplying the weighting for each
21 category of child under section two hundred eighty-
22 one point nine (281.9) of the Code times the number
23 of children in each category totaled for all categories
24 minus the actual enrollment.

25 If a district receives an advance under this section
26 for a budget year, the state comptroller shall
27 determine the amount of the advance which would have
28 been met by local property tax revenues if the
29 additional enrollment because of special education
30 in the budget year had been used for that budget year
31 in determining district cost, shall reduce the
32 district's total state school aids available under
33 this chapter for the next following budget year by
34 the amount so determined, and shall increase the
35 district's tax levy computed under section four hundred
36 forty-two point nine (442.9) of the Code, for the
37 next following budget year by the amount necessary
38 to compensate for the reduction in state aid, so that
39 the local property tax for the next following year
40 will be increased only by the amount which it would
41 have been increased in the budget year if the
42 additional enrollment because of special education
43 in the budget year could have been used to establish
44 the levy.

45 There is appropriated each year from the general
46 fund of the state the amount required to pay advances
47 authorized under this section, which shall be paid
48 to school districts in the same manner as other state
49 aids are paid under section four hundred forty-two
50 point twenty-six (442.26) of the Code."

Page 6

1 19. Page 6, by inserting before line 26 the
2 following section:
3 "Sec. Chapter four hundred forty-two (442),
4 Code 1979, is amended by adding the following new
5 section:
6 NEW SECTION. SUPPLEMENTARY WEIGHTING PLAN. In
7 order to provide additional funds for school districts
8 which send their resident pupils to another school
9 district for classes, which jointly employ and share
10 the services of teachers under section two hundred

11 eighty point fifteen (280.15) of the Code, or which
 12 use the services of a teacher employed by another
 13 school district, a supplementary weighting plan for
 14 determining enrollment is adopted as follows:

15 1. Pupils in a regular curriculum attending all
 16 their classes in the district in which they reside
 17 and taught by teachers employed by that district,
 18 are assigned a weighting of one.

19 2. Pupils attending classes in another school
 20 district, attending classes taught by a teacher who
 21 is employed jointly under section two hundred eighty
 22 point fifteen (280.15) of the Code, or attending
 23 classes taught by a teacher who is employed by another
 24 school district, are assigned a weighting of one plus
 25 one-tenth times the percent of the pupil's school
 26 day during which the pupil attends classes in another
 27 district, attends classes taught by a teacher who
 28 is jointly employed under section two hundred eighty
 29 point fifteen (280.15) of the Code, or attends classes
 30 taught by a teacher who is employed by another school
 31 district.

32 3. A pupil eligible for the weighting plan provided
 33 in section two hundred eighty-one point nine (281.9)
 34 of the Code is not eligible for the weighting plan
 35 provided in this section."

36 20. Page 6, by inserting after line 27 the
 37 following section:

38 "Sec. . . It is the intent of the general assembly
 39 that the department of public instruction obtain
 40 information on the secretary's annual reports filed
 41 by each school corporation listing the costs for each
 42 school year of heat, fuel, and light."

43 21. Amend the title, line 3, by inserting after
 44 the word "the" the words "state cost per pupil, the
 45 state foundation base, additional allowable growth,
 46 and".

47 22. Amend the title, line 5, by inserting after
 48 the word "moneys," the words "providing a supplementary
 49 weighting plan,".

50 23. By numbering and renumbering sections as

Page 7

1 necessary.

SENATE AMENDMENT TO
 HOUSE FILE 738

H-4313

1 Amend House File 738 as amended, passed and
 2 reprinted by the House as follows:

- 3 1. Page 1, line 16, by striking the word "twenty"
 4 and inserting in lieu thereof the word "twenty-two".
 5 2. Page 1, line 19, by striking the figure "90,000"
 6 and inserting in lieu thereof the figure "110,000".
 7 3. Page 1, line 27, by striking the figure "80,000"
 8 and inserting in lieu thereof the figure "100,000".
 9 4. Page 6, line 1, by striking the word
 10 "positions," and inserting in lieu thereof the words
 11 "positions for the fiscal year beginning July 1, 1979
 12 and for not more than eighty full-time equivalent
 13 positions for the fiscal year beginning July 1, 1980,".
 14 5. Page 6, by striking line 17 and inserting in
 15 lieu thereof the following:
 16 "divisions.....\$1,206,750 \$1,237,750".
 17 6. Page 6, by striking lines 18 through 29 and
 18 inserting in lieu thereof the following:
 19 "b. It is the intent of the general assembly
 20 that the fire marshal shall employ one additional
 21 permanent full-time arson investigator for the
 22 fiscal year beginning July 1, 1979 and one
 23 additional permanent full-time arson investigator for
 24 the fiscal year beginning July 1, 1980 to bring the
 25 number of permanent full-time arson investigators
 26 in the fire marshal's office to ten by July 1, 1980,
 27 with salaries and other benefits to be paid from
 28 funds appropriated pursuant to paragraph a of this
 29 subsection."
 30 7. Page 8, by inserting after line 14 the
 31 following:
 32 "It is the intent of the general assembly that
 33 rural crime be included as an area of activity by
 34 the Iowa crime prevention coalition, inc."
 35 8. Page 12, line 10, by striking the word and figure
 36 "two (2)" and inserting in lieu thereof the word and figure
 37 "three (3)".
 38 9. Page 12, by striking lines 15 and 16, and inserting
 39 in lieu thereof the following: "of one high performance
 40 turbo-prop airplane \$670,000".

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy members present, thirty absent.

ORDERS OF THE DAY

Halvorson of Clayton asked and received unanimous consent for the following orders of the day: House Files 753, 148, 650, 734 and 660, Senate File 485 and House File 758.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 753, a bill for an act to legalize the proceedings of the park board of the city of Monticello, Iowa in connection with the letting of certain contracts, with report of committee recommending passage was taken up for consideration.

Hall 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. 753)

The ayes were, 84:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hummel	Husak
Jay	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lonergan
Lorenzen	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 3:

Cusack	Lloyd-Jones	Sherzan
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Absent or not voting, 13:

Chiodo	Clark, B.J.	Hullinger	Jesse
Jochum	Johnson, R.	Larsen	Lura
Patchett	Smalley	Stromer	Walter
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

The following members asked and received unanimous consent to be recorded as voting "aye" on House File 753: Anderson of Jasper, Daggett of Taylor, Dieleman of Marion, Egenes of Story, Holt of Clay, Howell of Floyd and Norland of Worth. The votes were so recorded.

HOUSE INSISTS

Tyrrell of Iowa called up for consideration **House File 148**, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, and moved that the House insist on its amendment to the Senate amendment.

The motion prevailed and the House insists on its amendment to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED (House File 148)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 148: Tyrrell of Iowa, Chair; Cochran of Webster, Daggett of Taylor, Perkins of Greene and Van Maanen of Mahaska.

HOUSE INSISTS

West of Marshall called up for consideration **House File 650**, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made, and moved that the House recede from its amendment to the Senate amendment.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 46, nays 50.

The motion lost and the House insists on its amendment to the Senate amendment.

IMMEDIATE MESSAGES
(House Files 753 and 756)

Halvorson of Webster asked and received unanimous consent to immediately message House Files 753 and 756 to the Senate.

CONFERENCE COMMITTEES APPOINTED
(House File 650)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 650: West of Marshall, Chair; Daggett of Taylor, Krewson of Polk, Perkins of Greene and O'Kane of Woodbury.

(House File 723)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 723: Mullins of Kossuth, Chair; Clark of Cerro Gordo, Connors of Polk, Lonergan of Boone and Shimanek of Jones.

SENATE AMENDMENT CONSIDERED

Tofte of Winneshiek called up for consideration **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, amended by the Senate amendment H-4282 received from the Senate on May 7 and found on pages 2080 and 2081 of the House Journal.

Pellett of Cass asked and received unanimous consent to temporarily defer action on amendment H-4299, to the Senate amendment H-4282.

Welden of Hardin offered the following amendment H-4316, to the Senate amendment H-4282, filed by him from the floor and moved its adoption:

H—4316

- 1 Amend the Senate amendment H—4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 15 and
- 5 inserting in lieu thereof the following:
- 6 "1. Page 3, by striking lines 14 through 20."

Roll call was requested by Cochran of Webster and Anderson of Jasper.

On the question "Shall amendment H—4316, to the Senate amendment H—4282, be adopted?"

The ayes were, 32:

Anderson, J.	Bennett	Branstad	Crabb
Danker	Diemer	Halvorson, R.A.	Hansen, I.
Harbor	Holt	Hummel	Husak
Johnson, R.	Lind	Lorenzen	Lura
Maulsby	Menke	Pellett	Pope
Schneklath	Schroeder	Smalley	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

The nays were, 66:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crawford	Cusack	Davitt	De Groot
Dieleman	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Horn	Howell	Hullinger	Jay
Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	McKean	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Rapp	Ritsema	Sherzan	Shimanek
Shull	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 2:

Daggett	Jesse
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Amendment H—4316 lost.

Pellett of Cass asked and received unanimous consent to temporarily defer action on amendment H—4299.

De Groot of Lyon offered the following amendment H—4315, to the Senate amendment H—4282, filed by De Groot, Pellett, Harbor, Husak and Perkins from the floor and moved its adoption:

H—4315

- 1 Amend the Senate amendment H—4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 15 and
- 5 inserting in lieu thereof the following:
- 6 "1. Page 3, line 20, by inserting after the
- 7 word "misdemeanor." the following: "Until July
- 8 1, 1980, any person who uses a vacuum probe to
- 9 probe for foreign material content of grain shall
- 10 post a notice that the person is using a vacuum
- 11 probe and shall use a hand probe to sample the
- 12 grain if the person offering the grain so requests."

Roll call was requested by Davitt of Warren and Howell of Floyd.

Rule 80 was invoked.

On the question "Shall amendment H—4315 be adopted?"

The ayes were, 43:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Crabb	Daggett	Danker	De Groot
Diemer	Halvorson, R.A.	Hansen, I.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	*Kirkenslager	Lind	Lonergan
Lorenzen	Lura	Maulsby	Menke
Pellett	Perkins	Pope	Schneklath
Schroeder	Shull	Smalley	Stromer
Swearingen	Thompson	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

The nays were, 54:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Conlon	Connolly

Corey	Crawford	Cusack	Davitt
Dieleman	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Horn	Howell	Hullinger
Jay	Jochum	Krewson	Lageschulte
Larsen	Lloyd-Jones	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pelton	Poffenberger
Rapp	Ritsema	Sherzan	Shimanek
Spear	Tofte	Walter	Wells
Welsh	Woods		

Absent or not voting, 3:

Clark, B.J. Connors Jesse

Amendment H—4315 lost.

Pellett of Cass asked and received unanimous consent to withdraw amendment H—4299, to the Senate amendment H—4282, filed by Pellett, et al., on May 7, 1979.

Tofte of Winneshiek offered amendment H—4297, to the Senate amendment H—4282, filed by Tofte, et al., and requested division as follows:

H—4297

- 1 Amend the Senate amendment H—4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:

H—4297A

- 4 1. Page 1, by striking lines 8 through 12 and
- 5 inserting in lieu thereof the following:
- 6 "NEW SECTION. The secretary shall not approve
- 7 the use of any mechanized probe which is designed
- 8 as an open-end inload suction, using a vacuum to
- 9 draw a sample into the probe. A person who uses".

H—4297B

- 10 2. Page 1, by striking lines 17 and 18.
- 11 3. By renumbering the amendment to conform with
- 12 this amendment.

Lageschulte of Bremer offered the following amendment H-4302, to amendment H-4297A (to the Senate amendment H-4282) filed by him and moved its adoption:

H-4302

- 1 Amend amendment H-4297 to the Senate amendment
- 2 H-4282 to House File 734 as follows:
- 3 1. Page 1, by inserting after line 9 the
- 4 following:
- 5 " Page 1, by striking line 15 and insert-
- 6 ing in lieu thereof the following: "of a simple
- 7 misdemeanor.
- 8 This section is effective January 1, 1980." "

Amendment H-4302 was adopted.

On motion by Tofte of Winneshiek, amendment H-4297A, as amended, was adopted.

Avenson of Fayette offered amendment H-4300, to the Senate amendment H-4282, filed by him. Division was requested as follows:

H-4300

- 1 Amend the Senate amendment, H-4282, to House
- 2 File 734 as amended, passed and reprinted as
- 3 follows:

H-4300A

- 4 1. Page 1, by striking line 16

H-4300B

- 5 2. Page 1, by striking lines 17 through 22.

Avenson of Fayette moved the adoption of amendment H-4300A, to the Senate amendment H-4282.

A non-record roll call was requested.

The ayes were 80, nays 9.

Amendment H-4300A was adopted.

Avenson of Fayette moved the adoption of amendment H—4300B, to the Senate amendment H—4282.

A non-record roll call was requested.

The ayes were 82, nays 8.

Amendment H—4300B was adopted placing out of order the following amendments (to the Senate amendment H—4282):

H—4297B filed by Tofte, et al., on May 7, 1979.

H—4308 filed by Howell of Floyd on May 7, 1979.

H—4314 filed by Tofte of Winneshiek from the floor.

(House File 734 pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 11:47 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

HOUSE CONCURRENT RESOLUTION 25

By Doyle

- 1 *Whereas*, there arises on a continuing basis, and with
- 2 increasing frequency, various minor domestic, neighborhood,
- 3 business and property disputes; and
- 4 *Whereas*, the resolution of these minor disputes within
- 5 the judicial system presents an increasing burden on
- 6 overcrowded court dockets, resulting in increasing costs
- 7 to the state and to involved parties; and
- 8 *Whereas*, the concept of mediation/arbitration centers
- 9 has been developed to provide an economical and efficient
- 10 method of resolving these minor disputes, using negotiation
- 11 and arbitration instead of adjudication; and
- 12 *Whereas*, this concept has been enacted into law in
- 13 the United Kingdom and in the State of New York, and is
- 14 now the subject of over fifty pilot projects around the
- 15 nation, including Des Moines; and
- 16 *Whereas*, preliminary results from these projects
- 17 indicate that mediation/arbitration centers significantly
- 18 reduce the number of minor disputes taken to court and
- 19 provide substantial savings in both money and time; and
- 20 *Whereas*, legislation is needed to provide uniform

21 scope of authority, procedures, and operational guidelines
 22 for those communities which may wish to establish mediation/
 23 arbitration centers; *Now Therefore,*
 24 *Be It Resolved By The House Of Representatives, The*
 25 *Senate Concurring,* that the Legislative Council is respect-
 26 fully requested to create an interim joint study committee
 27 composed of three members of the Committee on Judiciary and
 28 Law Enforcement of the House and three members of the
 29 Committee on Judiciary of the Senate to study the efficacy
 30 of mediation/arbitration centers and to report its findings
 31 along with appropriate legislation to the Legislative
 32 Council and to the members of the sixty-eighth general
 33 assembly, 1980 session.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 26
 By Clark of Cerro Gordo

1 *Whereas,* the House of Representatives has passed
 2 House File 701, a bill which will establish a separate
 3 state Department of Mental Health, but it appears that
 4 Senate action on the bill during the 1979 Session is
 5 unlikely; and
 6 *Whereas,* one of the major concerns which House File
 7 701 seeks to address is the heavy reliance on county
 8 property tax revenues to pay the cost of publicly-
 9 supported mental health services in Iowa, and the fund-
 10 ing provisions of House File 701 as passed by the House
 11 therefore include (a) establishment of a new state com-
 12 munity mental health services fund, 70% of which will be
 13 distributed to counties by a formula of general applica-
 14 tion and used to help pay the cost of community-based
 15 mental health services, while the remaining 30% will be
 16 used for grants-in-aid to help counties develop new or
 17 expanded community-based mental health services in areas
 18 where such services are inadequate; (b) creation of a
 19 new state program under which the state will reimburse
 20 counties for a proportion of the cost of community-based
 21 inpatient mental health care (at facilities other than
 22 county care facilities); and (c) a phased increase in the
 23 basic state subsidy to counties for the cost of mental
 24 health services at state mental health institutes, from
 25 the present 20% to 40%; also the House-passed bill does
 26 not affect the existing state mental aid fund under which
 27 counties receive state payments of \$5 per patient per week
 28 for certain transferees from state mental health institutes
 29 and hospital-schools who are cared for in county care
 30 facilities; and

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1 *Whereas*, House File 701 as passed by the House calls
2 for the new state Mental Health Commission to prepare
3 recommendations to the 1980 Session of the present Gen-
4 eral Assembly regarding the formula for distribution of
5 the general allocation (i.e., 70%) of the new state
6 community mental health services fund, and it is advisable
7 for the General Assembly itself to proceed with prepara-
8 tion of this formula since the bill apparently will not
9 be enacted in 1979; and

10 *Whereas*, it is also desirable to make a thorough review
11 of all of the funding provisions of the House-passed bill
12 in order to ensure that these provisions relate to each
13 other so as to jointly achieve their intended purposes
14 with a minimum of administrative cost and difficulty;

15 *Now Therefore*,

16 *Be It Resolved By The House Of Representatives, The*
17 *Senate Concurring*, That the Legislative Council is requested
18 to authorize an interim study by a joint subcommittee of the
19 standing Committees on Human Resources, to review the fund-
20 ing provisions of House File 701 as passed by the House,
21 as well as any other provisions of the bill to which members
22 of the Senate Committee on Human Resources believe substantive
23 amendments should be considered.

Laid over under Rule 30.

HOUSE RESOLUTION 40

By Mullins

1 *Whereas*, in July of 1854 Ambrose and Asa C.
2 Call built their small cabin on the north fork of
3 the Des Moines River in Kossuth County, Iowa; and

4 *Whereas*, in no time at all additional cabins
5 were erected and the village became known as Call's
6 Grove; and

7 *Whereas*, the wife of Asa Call became
8 dissatisfied with the village name of Call's Grove
9 and suggested that the name be changed to the Indian
10 word Algona, which means Algonquin waters; and

11 *Whereas*, the city of Algona has grown and
12 prospered through the efforts of its industrious
13 citizens and today is a community which serves as a
14 modern economic center for the surrounding area; and

15 *Whereas*, the city of Algona is celebrating its
16 quasquicentennial on July 1-4, 1979; *Now Therefore*,

17 *Be It Resolved by the House of Representatives*,
18 That the membership of the House of Representatives
19 of the Sixty-eighth General Assembly of the State of
20 Iowa extends its heartiest congratulations to the
21 citizens of Algona during this quasquicentennial year

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- 1 and recognizes the achievements of this industrious
 2 community during the past one hundred and twenty-five
 3 years; and
 4 *Be It Further Resolved*, That a copy of this
 5 resolution be forwarded to Mayor Harold Van Allen,
 6 the city council, and the citizens of Algona.

Laid over under Rule 30.

BUSINESS PENDING

The House resumed consideration of **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, and the Senate amendment H—4282, as amended.

On motion by Tofte of Winneshiek, the House concurred in the Senate amendment H—4282, as amended.

Tofte of Winneshiek 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 734)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Diemer	Doyle	Egenes	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Loneragan
Lorenzen	Maulsby	McKean	Menke

Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 1:

Lura

Absent or not voting, 5:

Avenson
Lind

Connors

Dieleman

Evans

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker 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 members of the conference committee on the part of the Senate, appointed May 8, 1979, for House File 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, are: The Senator from Clayton, Senator Tieden, Chair; the Senator from Pottawattamie, Senator Hester; the Senator from Marshall, Senator Miller; the Senator from Kossuth, Senator Priebe; and the Senator from Linn, Senator Rush.

Also: That the Senate has on May 8, 1979, 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 687, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code.

Also: That the Senate has on May 8, 1979, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers.

HOUSE FILE 660 DEFERRED

Halvorson of Clayton asked and received unanimous consent that House File 660 be temporarily deferred and that the bill retain its place on the calendar.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 485.

Senate File 485, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista offered the following amendment H—4230 filed by Groth, et al., and moved its adoption:

H—4230

- 1 Amend Senate File 485, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 2, by striking line 8 and inserting
- 4 in lieu thereof the following:
- 5 "sixteen (261.16) of the Code.... \$3,908,178 \$4,930,330".

Roll call was requested by Horn of Linn and O'Kane of Woodbury.

Rule 80 was invoked.

On the question "Shall amendment H—4230 be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jochum	Lloyd-Jones
Lonergan	Miller	Norland	O'Kane

Oxley	Patchett	Pavich	Perkins
Pope	Rapp	Sherzan	Shull
Smalley	Spear	Walter	Wells
Welsh	Woods		

The nays were, 51:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Ritsema
Schnekloth	Schroeder	Shimanek	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Mr. Speaker	

Absent or not voting, 3:

Jesse	Poffenberger	West
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Amendment H—4230 lost.

Patchett of Johnson asked and received unanimous consent to defer action on amendment H—4098 for the consideration of amendment H—4097.

Patchett of Johnson offered the following amendment H—4097 filed by him and Anderson of Jasper and moved its adoption:

H—4097

- 1 Amend Senate File 485 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 16, line 22, by striking the figure "1979"
- 4 and inserting in lieu thereof the figure "1980".
- 5 2. Page 16, lines 23 and 24, by striking the words
- 6 "and for each following fiscal year one thousand seven
- 7 hundred dollars".
- 8 3. Page 23, line 34, by inserting after the word
- 9 "Sections" the word "twelve (12)".

Roll call was requested by Horn of Linn and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H — 4097 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jochum	Lloyd-Jones	Loneragan	Miller
O'Kane	Oxley	Patchett	Pavich
Perkins	Pope	Rapp	Sherzan
Shull	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lorenzen
Lura	Maulsby	McKeane	Menke
Pellett	Pelton	Poffenberger	Ritsema
Schnekloth	Schroeder	Shimanek	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Chiodo	Jesse	Larsen	Mullins
Norland			

Amendment H — 4097 lost.

(Action on Senate File 485 was temporarily deferred.)

MOTION TO RECONSIDER WITHDRAWN
(House File 755)

Welden of Hardin asked and received unanimous consent to withdraw the motion to reconsider House File 755, a bill for an act relating to the administration and financing of current programs

under the jurisdiction of the department of social services and the motion to reconsider amendment H—4259 filed by him on May 3, 1979.

HOUSE INSISTS

Johnson of Howard called up for consideration **House File 687**, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, and moved that the House insist on its amendment to the Senate amendment.

A non-record roll call was requested.

The ayes were 61, nays 34.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED (House File 687)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 687: Harbor of Mills, Chair; Byerly of Polk, Jesse of Polk, Lura of Marshall and Schroeder of Pottawattamie.

The House resumed consideration of **Senate File 485**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Patchett of Johnson offered the following amendment H—4098 filed by Patchett, et al., and moved its adoption:

H—4098

- 1 Amend Senate File 485 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 2, line 8, by striking the figures
- 4 "1,750,000" and "2,750,000" and inserting in lieu
- 5 thereof the figures "2,250,000" and "3,850,000"
- 6 respectively.

Roll call was requested by Patchett of Johnson and Binneboese of Plymouth.

Rule 80 was invoked.

On the question "Shall amendment H—4098 be adopted?"

The ayes were, 47:

Anderson, R.	Arpould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hanson, D.
Hinkhouse	Horn	Hullinger	Husak
Jay	Jesse	Jochum	Lageschulte
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Pope	Rapp	Sherzan
Shull	Spear	Van Maanen	Walter
Wells	Welsh	Woods	

The nays were, 48:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Larsen	Lind
Lorenzen	Maulsby	McKean	Menke
Mullins	Pellett	Pelton	Poffenberger
Ritsema	Schneklath	Schroeder	Shimaneck
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Welden	West	Mr. Speaker

Absent or not voting, 5:

Chiodo	Harbor	Howell	Lura
Smalley			

Amendment H—4098 lost.

Crabb of Crawford offered the following amendment H—4317 filed by Crabb, Hullinger, Smalley and Connolly from the floor and moved its adoption:

H—4317

- 1 Amend Senate File 485 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, lines 21 and 22, by striking the
- 4 words and figures "one million two hundred thousand
- 5 (1,200,000)" and inserting in lieu thereof the words
- 6 and figures "one million three hundred thousand

- 7 (1,300,000)".
 8 2. Page 3, lines 32 and 33, by striking the
 9 words and figures "four hundred thousand (400,000)"
 10 and inserting in lieu thereof the words and figures
 11 "four hundred thirty-three thousand three hundred
 12 thirty-three (433,333)".

Roll call was requested by Byerly of Polk and Cusack of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—4317 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Bina	Binneboese
Byerly	Cochran	Connolly	Connors
Crabb	Cusack	Danker	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Holt
Horn	Hullinger	Husak	Jay
Jesse	Jochum	Lonerган	Miller
O'Kane	Oxley	Pavich	Perkins
Rapp	Sherzan	Smalley	Thompson
Wells	Welsh	Woods	

The nays were, 58:

Anderson, J.	Avenson	Bennett	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crawford	Daggett
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hoffmann	Howell	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lorenzen	Maulsby	McKean	Menke
Mullins	Norland	Patchett	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimanek	Shull
Spear	Stromer	Swearingen	Tofte
Tyrrell	Van Maanen	Walter	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Chiodo	Harbor	Lura
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Amendment H—4317 lost.

Anderson of Jasper asked and received unanimous consent to withdraw amendment H-4318 (to page 6) filed by him from the floor.

Horn of Linn offered the following amendment H-4190 filed by Horn, et al. and moved its adoption:

H-4190

1 Amend Senate File 485 as amended, passed, and
 2 reprinted as follows:
 3 1. Page 7, by striking line 25 and inserting in
 4 lieu thereof the following:
 5 "ing to federal regulations \$3,431,000 \$3,605,000
 6 9. SCHOOL BREAKFAST PROGRAM
 7 For the purpose of providing
 8 funds for the school breakfast
 9 program \$ 59,000 \$ 59,000"

10 2. Page 18, by inserting after line 23 the
 11 following:
 12 "Sec. 19. Section two hundred eighty-three A point
 13 one (283A.1), Code 1979, is amended by adding the
 14 following new subsection:
 15 NEW SUBSECTION. "School breakfast program" means
 16 a program under which breakfasts are served by a
 17 public school on a nonprofit basis to children in
 18 attendance, including a program that receives federal
 19 financial assistance. The breakfast must comply with
 20 federal regulations.
 21 Sec. 20. Section two hundred eighty-three A point
 22 two (283A.2), Code 1979, is amended to read as follows:
 23 283A.2 SCHOOL BOARDS LUNCH AND BREAKFAST PROGRAMS-
 24 RULES. School boards shall have power to operate
 25 or provide for the operation of school lunch programs
 26 in schools under their jurisdiction, and may use
 27 therefor funds disbursed to them under the provisions
 28 of this chapter, gifts, funds received from sale of
 29 school lunches under such programs, and any other
 30 funds legally available.

31 All school School districts shall operate or provide
 32 for the operation of school lunch programs at all
 33 public schools in each district, which. School
 34 districts shall operate or provide for the operation
 35 of school breakfast programs in those public schools
 36 in the district where the number of free or reduced
 37 price school lunches served during the second preceding
 38 school year was forty percent or more of the total
 39 school lunches served during the school year. The
 40 programs shall be operated in compliance with the

41 rules of the department of public instruction and
42 pertinent federal rules, ~~for all~~ shall be available
43 to students in each district who attend public school
44 four or more hours each school day and wish to
45 participate in a the school breakfast program or
46 school lunch program, and ~~school~~ or both. School
47 districts may provide such programs for other students.
48 School boards may use for this purpose funds disbursed
49 to them under this chapter, gifts, funds from the
50 sale of school breakfasts and lunches and other funds

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1 legally available for school lunch and breakfast
2 programs.
3 Sec. 21. Section two hundred eighty-three A point
4 three (283A.3), Code 1979, is amended to read as
5 follows:
6 283A.3 EXPENDITURE OF FEDERAL FUNDS. The
7 superintendent of public instruction ~~is hereby~~
8 authorized to may accept and direct the disbursement
9 of funds appropriated by any Act of Congress and
10 ~~appropriated~~ allocated to the state of Iowa for use
11 in connection with school breakfast programs or school
12 lunch programs. The superintendent of public
13 instruction shall deposit ~~all~~ such federal funds
14 received with the treasurer of the state of Iowa,
15 who shall make disbursements therefrom upon the
16 direction of the superintendent of public instruction.
17 Sec. 22. Section two hundred eighty-three A point
18 four (283A.4), Code 1979, is amended to read as
19 follows:
20 ...283A.4 ADMINISTRATION OF PROGRAM. The
21 superintendent of public instruction may enter into
22 such agreements with any an agency of the federal
23 government, with any a school board, or with any other
24 agency or person, prescribe such regulations rules,
25 employ such personnel, and take such other action
26 as he may deem deemed necessary to provide for the
27 establishment, maintenance, operation, and expansion
28 of any a school breakfast or school lunch program,
29 and to direct the disbursement of federal and state
30 funds, in accordance with any applicable provisions
31 of federal or state law. The superintendent of public
32 instruction may give technical advice and assistance
33 to any a school board in connection with the
34 establishment and operation of any a school breakfast
35 or school lunch program and may assist in training
36 such personnel engaged in the operation of such the
37 program. The superintendent of public instruction
38 and any school board may accept any gift for use in

39 connection with any a school breakfast or school lunch
40 program.

41 Sec. 23. Section two hundred eighty-three A point
42 five (283A.5), Code 1979, is amended to read as
43 follows:

44 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.

45 The superintendent of public instruction shall
46 prescribe ~~regulations~~ rules for the keeping of accounts
47 and records and the making of reports by or under
48 the supervision of school boards. ~~Such~~ The accounts
49 and records shall at all times be available for
50 inspection and audit by authorized officials and shall

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1 be preserved for such a period of time, not in excess
2 of five years, as the superintendent of public
3 instruction may lawfully prescribe. The superintendent
4 of public instruction shall conduct or cause to be
5 conducted ~~such~~ audits and inspections with respect
6 to school breakfast programs and school lunch programs
7 as may be necessary to determine whether its agreement
8 with school boards and ~~regulations~~ rules made pursuant
9 to this chapter are being complied with, and to insure
10 that school breakfast and school lunch programs are
11 effectively administered.

12 Sec. 24. Section two hundred eighty-three A point
13 eight (283A.8), Code 1979, is amended to read as
14 follows:

15 283A.8 USE OF SCHOOL BREAKFAST AND LUNCH FACILITIES

16 BY SENIOR CITIZENS. Boards of directors of school
17 corporations may authorize the use by senior citizen
18 organizations of school breakfast and lunch facilities
19 subject to reasonable rules and ~~regulations~~ of the
20 board. ~~Such~~ The use shall not interfere with the
21 use of the facilities for public school purposes.
22 The board may charge for such use an amount not to
23 exceed the cost to the district.

24 Sec. 25. Section two hundred eighty-three A point
25 nine (283A.9), Code 1979, is amended to read as
26 follows:

27 283A.9. BUILDING FOR SCHOOL LUNCH FACILITY. School

28 districts are authorized to may purchase, erect, or
29 otherwise acquire a building for use as a school
30 breakfast or lunch facility, and to equip such a the
31 building for such use, and may pay for same the
32 building from unencumbered funds on hand in the
33 schoolhouse fund derived from taxes voted under
34 authority of sections 278.1, subsection 7, or 275.32,
35 subject to the terms of this section, or may pay for
36 same from the proceeds of the sale of school property

37 sold under section 297.22, or from surplus remaining
38 in the schoolhouse fund after retirement of a bond
39 issue, or from a tax voted for said purposes.

40 Sec. 26. Section two hundred eighty-three A point
41 ten (283A.10), Code 1979, is amended to read as
42 follows:

43 283A.10 SCHOOL BREAKFAST AND LUNCH IN NONPUBLIC
44 SCHOOLS. The authorities in charge of nonpublic schools
45 may operate or provide for the operation of school
46 breakfast and lunch programs in schools under their
47 jurisdiction and may use funds appropriated to them
48 by the general assembly, gifts, funds received from
49 sale of school breakfasts and lunches under such
50 programs, and any other funds available to the

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1 nonpublic school. However, school breakfast and lunch
2 programs shall not be are not required in nonpublic
3 schools. The department of public instruction shall
4 direct the disbursement of state funds to nonpublic
5 schools for school breakfast and lunch programs in
6 the same manner as state funds are disbursed to public
7 schools.

8 Sec. 27. Sections nineteen (19) through twenty-
9 six (26) of this Act are effective January first
10 following its enactment for the school year beginning
11 in August or September of the same year."

12 3. By renumbering subsections, sections, and cross
13 references as required by this amendment.

Roll call was requested by Horn of Linn and Patchett of Johnson.

On the question "Shall amendment H—4190 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Jesse	Jochum	Kirkenslager
Krewson	Larsen	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

The nays were, 57:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Evans	Groth
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 2:

Chiodo Egenes

Amendment H—4190 lost.

Horn of Linn offered the following amendment H—4096 filed by Horn, et al., and moved its adoption:

H—4096

1 Amend Senate File 485 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 7, by striking line 28 through page 8,
 4 line 6, and inserting in lieu thereof the following:
 5 "There is appropriated from the
 6 general fund of the state to the
 7 state department of public instruc-
 8 tion funds sufficient to pay the
 9 approved claims of public school
 10 districts providing textbooks to
 11 each resident pupil who attends
 12 a nonpublic school as authorized
 13 by section three hundred one
 14 point one (301.1) of the Code.
 15 Such funding shall be limited
 16 to ten dollars per pupil and
 17 shall not exceed the comparable
 18 services offered to resident
 19 public school pupils."

Roll call was requested by Horn of Linn and Arnould of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—4096 be adopted?"

The ayes were, 44:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
De Groot	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Husak
Jay	Jochum	Kirkenslager	Lloyd-Jones
Lonergan	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Poffenberger
Rapp	Sherzan	Spear	Van Maanen
Walter	Wells	Welsh	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hullinger	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Welden	West	Mr. Speaker

Absent or not voting, 4:

Anderson, R.	Chiodo	Jesse	Miller
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Amendment H—4096 lost.

Avenson of Fayette asked and received unanimous consent to suspend Rule 15 which prohibits food in the House chamber during session.

Horn of Linn offered the following amendment H—4333 filed by him from the floor and moved its adoption:

H-4333

1 Amend Senate File 485 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 9, by striking lines 8 through 33 and
4 inserting in lieu thereof the following:

5 "Code the amount of forty-
6 four million four hundred
7 seventy-three thousand
8 eight hundred (44,473,800)
9 dollars for fiscal year
10 1979-1980 and fifty-two
11 million one hundred
12 seventy-three thousand
13 one hundred (52,173,100)
14 dollars for fiscal year
15 1980-1981 to be allocated
16 as follows:

17	(1) Merged Area I	\$2,068,009	\$2,422,862
18	(2) Merged Area II	\$2,888,069	\$3,321,208
19	(3) Merged Area III	\$2,613,078	\$2,989,915
20	(4) Merged Area IV	\$ 930,588	\$1,119,093
21	(5) Merged Area V	\$3,256,762	\$3,749,651
22	(6) Merged Area VI	\$2,817,400	\$3,204,799
23	(7) Merged Area VII	\$3,189,002	\$3,736,114
24	(8) Merged Area IX	\$3,630,437	\$4,493,106
25	(9) Merged Area X	\$5,350,385	\$6,280,716
26	(10) Merged Area XI	\$6,677,582	\$7,777,896
27	(11) Merged Area XII	\$2,067,106	\$2,441,926
28	(12) Merged Area XIII	\$3,107,993	\$3,612,237
29	(13) Merged Area XIV	\$1,113,739	\$1,285,001
30	(14) Merged Area XV	\$2,628,601	\$3,251,225
31	(15) Merged Area XVI	\$2,135,049	\$2,487,351

Roll call was requested by Horn of Linn and Rapp of Black Hawk.

On the question "Shall amendment H-4333 be adopted?"

The ayes were, 32:

Anderson, R.	Arnould	Bina	Brandt
Bruner	Byerly	Cochran	Connolly
Davitt	Diemer	Doyle	Gettings
Hall	Halvorson, R.N.	Horn	Howell
Jay	Jesse	Jochum	Lloyd-Jones
Lonergan	Norland	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

The nays were, 59:

Anderson, J.	Avenson	Bennett	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Cusack	Daggett
Danker	De Groot	Dieleman	Egenes
Evans	Groth	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs,	Hoffmann
Holt	Hullinger	Husak	Johnson, J.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
McKean	Menke	Mullins	O'Kane
Pellet	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 9:

Binneboese	Chiodo	Connors	Hinkhouse
Hummel	Johnson, R.	Lura	Miller
Perkins			

Amendment H—4333 lost.

Cusack of Scott asked and received unanimous consent to withdraw amendment H—4320 (to page 9) filed by him from the floor.

Horn of Linn offered the following amendment H—4104 filed by Horn, et al., and moved its adoption:

H—4104

- 1 Amend Senate File 485 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 11, by striking line 16 and inserting in
- 4 lieu thereof the following:
- 5 "need for such new program. . .\$300,000 \$ 300,000".

Roll call was requested by Horn of Linn and Byerly of Polk.

On the question "Shall amendment H—4104 be adopted?"

The ayes were, 39:

Anderson, R.	Arnould	Avenson	Bina
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Brandt	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	Norland	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 7:

Binneboese	Chiodo	Hinkhouse	Johnson, R.
Lura	Miller	Stromer	

Amendment H—4104 lost.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 2 to continue session beyond the 6:00 p.m. time limit.

Cusack of Scott asked and received unanimous consent to withdraw amendment H—4319 filed by him from the floor.

Patchett of Johnson offered the following amendment H—4101 filed by Patchett, et al., and moved its adoption:

H—4101

- 1 Amend Senate File 485 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 13, line 5, by striking the figures
- 4 "80,979,000" and "83,812,000" and inserting in lieu

- 5 thereof the figures "81,279,000" and "84,112,000"
6 respectively.

Roll call was requested by Patchett of Johnson and Walter of Pottawattamie.

On the question "Shall amendment H—4101 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Cochran
Connolly	Connors	Cusack	Davitt
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lloyd-Jones	Lonerган	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Walter	Wells
Welsh	Woods		

The nays were, 57:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lorenzen	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 5:

Chiodo	Krewson	Lura	Perkins
Stromer			

Amendment H—4101 lost.

Horn of Linn offered the following amendment H—4105 filed by Horn, et al., and moved its adoption:

H—4105

1 Amend Senate File 485 as amended, passed, and reprinted
2 by the Senate as follows:

3 1. Page 13, line 5, by striking the figures
4 "80,979,000" and "83,812,000" and inserting in lieu
5 thereof the figures "81,191,000" and "84,024,000",
6 respectively.

7 2. Page 13, line 14, by striking the figures "19,437,000"
8 and "20,394,000" and inserting in lieu thereof the figures
9 "19,532,500" and "20,489,500", respectively.

10 3. Page 13, line 22, by striking the figures
11 "4,095,000" and "4,225,000" and inserting in lieu
12 thereof the figures "4,104,500" and "4,234,500",
13 respectively.

14 4. Page 13, line 27, by striking the figures
15 "1,618,500" and "1,612,000" and inserting in lieu
16 thereof the figures "1,623,500" and "1,617,000",
17 respectively.

18 5. Page 13, line 31, by striking the figures
19 "2,903,000" and "3,012,000" and inserting in lieu
20 thereof the figures "2,908,000" and "3,017,000",
21 respectively.

22 6. Page 14, line 6, by striking the figures
23 "1,642,000" and "1,717,600" and inserting in lieu
24 thereof the figures "1,647,000" and "1,722,600",
25 respectively.

26 7. Page 14, line 12, by striking the figures
27 "65,639,000" and "68,493,000" and inserting in lieu
28 thereof the figures "65,800,000" and "68,654,000",
29 respectively.

30 8. Page 14, line 17, by striking the figures
31 "7,534,000" and "7,723,000" and inserting in lieu
32 thereof the figures "7,559,000" and "7,748,000",
33 respectively.

34 9. Page 14, line 23, by striking the figures
35 "6,960,000" and "7,278,000" and inserting in lieu
36 thereof the figures "6,988,000" and "7,306,000",
37 respectively.

Roll call was requested by Patchett of Johnson and Horn of Linn.

On the question "Shall amendment H—4105 be adopted?"

The ayes were, 44:

Anderson, R.
Binneboese
Cochran

Arnould
Brandt
Connolly

Avenson
Bruner
Connors

Bina
Byerly
Crawford

Cusack	Davitt	Dieleman	Diemer
Doyle	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Walter	Wells	Welsh	Woods

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Daggett	Danker	De Groot	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Pellett	Pelton	Poffenberger
Pope	Schneklath	Schroeder	Shimaneck
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 5:

Chiodo	Evans	Lura	Ritsema
Stromer			

Amendment H—4105 lost.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4039 filed by Crabb, et al., on April 20, 1979, placing out of order the following amendments, to amendment H—4039:

H—4165 filed by Horn of Linn on April 27, 1979.

H—4189 filed by Horn, et al., on April 30, 1979.

H—4191 filed by Groth of Buena Vista and Crabb of Crawford on April 30, 1979.

H—4218 filed by Jochum, et al., on May 1, 1979.

Horn of Linn offered the following amendment H—4103 filed by Horn, et al., and moved its adoption:

H-4103

1 Amend Senate File 485 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 13, by inserting after line 14 the
4 following:
5 "Funds appropriated
6 by this paragraph may be
7 transferred to the
8 psychiatric hospital for
9 additional professional
10 nurses at the discretion
11 of the state board of
12 regents if the board
13 deems it advisable."

A non-record roll call was requested.

The ayes were 40, nays 51.

Amendment H-4103 lost.

Horn of Linn asked and received unanimous consent to withdraw amendment H-4102 (to page 13) filed by Horn, et al, on April 24, 1979.

Patchett of Johnson offered the following amendment H-4081 filed by him and Lloyd-Jones of Johnson and moved its adoption:

H-4081

1 Amend Senate File 485 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 14, line 6, by striking the figures
4 "1,642,000" and "1,717,600" and inserting in lieu
5 thereof the figures "1,689,600" and "1,765,200"
6 respectively.

A non-record roll call was requested.

The ayes were 36, nays 47.

Amendment H-4081 lost.

Avenson of Fayette asked and received unanimous consent to withdraw amendment H-4183 (to page 14) filed by him on April 30, 1979.

Horn of Linn offered the following amendment H—4100 filed by Horn, et al., and moved its adoption:

H—4100

- 1 Amend Senate File 485 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 14, by striking line 28 and inserting in lieu
- 4 thereof the following:
- 5 "and miscellaneous purposes.....\$26,976,000 \$28,089,000".

Roll call was requested by Rapp of Black Hawk and Connolly of Dubuque.

On the question "Shall amendment H—4100 be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Hullinger	Jay	Jochum
Johnson, J.	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Walter	Wells	Welsh	Woods

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Hummel
Husak	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 4:

Chiodo	Jesse	Johnson, R.	Lura
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Amendment H—4100 lost.

Groth of Buena Vista offered the following amendment H—4296 filed by Groth, et al. :

H—4296

1 Amend Senate File 485 as passed and reprinted
 2 by the Senate as follows:
 3 1. Page 16, by inserting after line 4, the
 4 following new section:
 5 "Sec. . Section two hundred fifty-seven point
 6 twenty-six (257.26), numbered paragraph two (2),
 7 Code 1979, is amended to read as follows:
 8 "2. The provisions of this section shall not
 9 deprive the respective boards of public school
 10 districts of any of their legal powers, statutory
 11 or otherwise, and in accepting such specially
 12 enrolled students, each of said boards shall pre-
 13 scribe the terms of such special enrollment,
 14 including but not limited to scheduling of such
 15 courses and the length of class periods. In
 16 addition, the board of the affected public school
 17 district shall be given notice by the state board
 18 of its decision to permit such special enrollment
 19 not later than six months prior to the opening of
 20 the affected public school district's school year,
 21 except that the board of the public school district
 22 may, in its discretion, waive such notice require-
 23 ment. School districts and area education agency boards,
 24 may, when available, make public school services,
 25 which may include health services, special edu-
 26 cation services, services for remedial education
 27 programs, guidance services and school testing
 28 services, available to children attending non-
 29 public schools in the same manner and to the same
 30 extent that they are provided to public school
 31 students. However, services that are made avail-
 32 able shall be provided on premises other than non-
 33 public school property, except health services
 34 which may be provided on nonpublic school premises.
 35 For the purposes of this section, health services
 36 include speech and hearing diagnostic services."

Menke of O'Brien rose on a point of order that amendment H—4296 was not germane.

The Speaker ruled the point well taken and amendment H—4296 not germane.

Groth of Buena Vista moved to suspend the rules to consider and adopt amendment H—4296.

Schroeder of Pottawattamie rose on a point of order that the motion, having been debated, was out of order.

The Speaker ruled the point well taken and the motion not in order.

Welsh of Dubuque asked for unanimous consent to suspend Rule 79 requiring members to vote at their desks.

Objection was raised.

Jochum of Dubuque moved that the rules be suspended to consider and adopt amendment H—4296.

Roll call was requested by Groth of Buena Vista and Perkins of Greene.

On the question "Shall the rules be suspended to consider and adopt amendment H—4296?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Cochran	Connolly	Connors	Davitt
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Miller	O'Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spears	Walter
Wells	Welsh	Woods	

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley

Stromer
Tyrrell
Mr. Speaker

Swearingen
Van Maanen

Thompson
Welden

Tofte
West

Absent or not voting, 4:

Chiodo

Cusack

Lura

Norland

The motion lost.

Avenson of Fayette offered the following amendment H—4337 filed by him from the floor:

H—4337

1 Amend Senate File 485, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 17, by inserting after line 31 the
4 following sections:

5 "Sec. . Chapter two hundred sixty-three (263),
6 Code 1979, is amended by adding the following new
7 section:

8 NEW SECTION. OFF-CAMPUS INSTRUCTION. The state
9 university of Iowa shall not offer a course of
10 instruction at a site outside of Iowa City, Iowa
11 located less than seventy-five miles from the site
12 of a private college or university if the course of
13 instruction duplicates a course of instruction
14 offered by that private college or university. This
15 section does not apply to courses of instruction
16 offered by the state university of Iowa on February
17 1, 1979.

18 The state university of Iowa may offer
19 nonduplicative courses of instruction in addition
20 to those offered on February 1, 1979 at sites outside
21 Iowa City, Iowa located less than seventy-five miles
22 from the site of a private college or university if
23 a cost analysis has been completed which indicates
24 that the direct costs and administrative costs can
25 be met by the expected revenues from the courses.

26 Sec. . Chapter two hundred sixty-six (266),
27 Code 1979, is amended by adding the following new
28 section:

29 NEW SECTION. OFF-CAMPUS INSTRUCTION. The Iowa
30 state university of science and technology shall not
31 offer a course of instruction at a site outside of
32 Ames, Iowa located less than seventy-five miles
33 from the site of a private college or university if
34 the course of instruction duplicates a course of
35 instruction offered by that private college or

36 university. This section does not apply to courses of
37 instruction offered by the Iowa state university of
38 science and technology on February 1, 1979.

39 The Iowa state university of science and technology
40 may offer nonduplicative courses of instruction in
41 addition to those offered on February 1, 1979 at sites
42 outside Ames, Iowa located less than seventy-five
43 miles from the site of a private college or university
44 if a cost analysis has been completed which indicates
45 that the direct costs and administrative costs can be
46 met by the expected revenues from the courses."

47 2. Page 18, by inserting after line 6 the following
48 section:

49 "Sec. Chapter two hundred sixty-eight (268),
50 Code 1979, is amended by adding the following new

Page 2

1 section:

2 **NEW SECTION. OFF-CAMPUS INSTRUCTION.** The
3 university of northern Iowa shall not offer a course
4 of instruction at a site outside of Cedar Falls, Iowa
5 located less than seventy-five miles from the site
6 of a private college or university if the course of
7 instruction duplicates a course of instruction
8 offered by that private college or university. This
9 section does not apply to courses of instruction
10 offered by the university of northern Iowa on
11 February 1, 1979.

12 The university of northern Iowa may offer
13 nonduplicative courses of instruction in addition
14 to those offered on February 1, 1979 at sites outside
15 Cedar Falls, Iowa located less than seventy-five miles
16 from the site of a private college or university if
17 a cost analysis has been completed which indicates
18 that the direct costs and administrative costs can
19 be met by the expected revenues from the courses."

Menke of O'Brien rose on a point of order that amendment
H-4337 was not germane.

The Speaker ruled the point well taken and amendment
H-4337 not germane.

Avenson of Fayette moved that the rules be suspended to con-
sider and adopt amendment H-4337.

Roll call was requested by Byerly of Polk and Woods of Polk.

On the question "Shall the rules be suspended to consider and adopt amendment H—4337?"

The ayes were, 38:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Byerly	Cochran	Connolly
Connors	Cusack	Davitt	De Groot
Dieleman	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Miller	O'Kane
Oxley	Perkins	Rapp	Ritsema
Sherzan	Shull	Van Maanen	Wells
Welsh	Woods		

The nays were, 59:

Anderson, J.	Bennett	Brandt	Branstad
Bruner	Clark, B.J.	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte'	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Maulsby
McKean	Menke	Mullins	Norland
Patchett	Pavich	Pellet	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrrell	Walter
Welden	West	Mr. Speaker	

Absent or not voting, 3:

Chiodo	Lura	Stromer
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The motion lost.

Connors of Polk offered the following amendment filed by Connors, Cusack and Krewson from the floor:

H—4326

- 1 Amend Senate File 485, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 19, by inserting after line 16, the
- 4 following section:

5 "Sec. . Section two hundred eighty A point
6 twenty-three (280A.23), Code 1979, is amended by
7 adding the following new subsection:
8 **NEW SUBSECTION.** Promulgate rules which allow
9 residents of this state sixty years of age and older
10 to enroll in and receive credit for completion of
11 certain courses offered by the area school at no cost
12 to the residents of this state sixty years of age
13 and older. This subsection applies only to courses
14 which are not filled to their designated capacity
15 by students for which tuition and fees are paid.
16 The cost of record keeping and other administrative
17 expense shall be paid from funds received under section
18 two hundred eighty A point seventeen (280A.17) of
19 the Code and funds appropriated to the area school
20 by the general assembly."

Menke of O'Brien rose on a point of order that amendment H-4326 was not germane.

The Speaker ruled the point well taken and amendment H-4326 not germane.

Connors of Polk asked for unanimous consent to adopt amendment H-4326.

Objection was raised.

Connors of Polk moved that the rules be suspended to consider and adopt amendment H-4326.

A non-record roll call was requested.

The ayes were 41, nays 55.

The motion lost.

Miller of Buchanan asked and received unanimous consent to withdraw amendment H-4336 (to page 20) filed by him from the floor.

Miller of Buchanan asked for unanimous consent to suspend Rule 55 prohibiting smoking except in the perimeter area of the House while in session.

Objection was raised.

Menke 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.

Under the provisions of Rule 81, Bina of Scott refrained from voting.

On the question "Shall the bill pass?" (S.F. 485)

The ayes were, 97:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Branstad
Bruner	Byerly	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Bina	Chiodo	Lura
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of Senate Files 497 and 498.

Senate File 497, a bill for an act to make a supplemental appropriation to the department of social services for the medical assistance, foster care and homemaker services programs, with report of committee recommending passage was taken up for consideration.

Daggett of Taylor 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. 497)

The ayes were, 84:

Anderson, R.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Kirkenslager	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Perkins	Poffenberger
Pope	Rapp	Schroeder,	Sherzan
Shimaneck	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 12:

Anderson, J.	Branstad	De Groot	Hansen, I.
Hummel	Johnson, W.	Maulsby	McKean
Pelton	Ritsema	Schnekloth	Tyrrell

Absent or not voting, 4:

Chiodo

Connors

Krewson

Lura

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER LOST
(Senate File 485)

Menke of O'Brien moved to reconsider the vote by which Senate File 485 passed the House on May 8, 1979.

A non-record roll call was requested.

The ayes were 11, nays 77.

The motion lost.

Senate File 498, a bill for an act making a supplemental appropriation to the state board of regents for the purpose of supplementing existing appropriations for fuel and purchased electricity during the fiscal year beginning July 1, 1978, with report of committee recommending passage was taken up for consideration.

Menke 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?" (S.F. 498)

The ayes were, 74:

Anderson, R.	Arnould	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connolly	Connors	Corey
Crabb	Crawford	Cusack	Daggett
Davitt	Diemer	Egenes	Evans
Gettings	Groth	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jochum	Johnson, R.	Kirkenslager
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Menke	Miller	Mullins

Norland	O'Kane	Oxley	Patchett
Perkins	Poffenberger	Pope	Rapp
Sherzan	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 21:

Anderson, J.	Avenson	Danker	De Groot
Dieleman	Doyle	Hall	Jesse
Johnson, J.	Johnson, W.	Maulsby	McKean
Pavich	Pellett	Pelton	Ritsema
Schnekloth	Smalley	Tyrrell	Van Maanen
Walter			

Absent or not voting, 5:

Chiodo	Krewson	Lageschulte	Lura
Schroeder			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER LOST (Senate File 51)

Connolly of Dubuque called up for consideration the motion to reconsider Senate File 51, filed on May 3, 1979, and moved to reconsider the vote by which Senate File 51, a bill for an act to repeal the chain store tax, passed the House and was placed on its last reading on May 3, 1979.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 47, nays 48.

The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lura of Marshall for a portion of the day on request of West of Marshall.

House File 758, a bill for an act establishing and making an appropriation for an elderly care program, was taken up for consideration.

Jesse of Polk offered the following amendment H — 4340 filed by him from the floor and moved its adoption:

H — 4340

- 1 Amend House File 758 as follows:
- 2 1. Page 1, by striking lines 1 through 9 and
- 3 inserting in lieu thereof the following:
- 4 "Section 1. There is appropriated from the general
- 5 fund to the commission on the aging five million eight
- 6 hundred thousand (5,800,000) dollars, or so much
- 7 thereof as may be necessary, for the 1979-1980 fiscal
- 8 year for the elderly care program. Five million
- 9 (5,000,000) dollars of the appropriation shall be
- 10 used for the winterizing of homes for citizens over
- 11 sixty-five years of age to be provided through local
- 12 project grants. Eight hundred thousand (800,000)
- 13 dollars of the appropriation shall be used for chore,
- 14 adult day care, and home repair services to be provided
- 15 through local project grants which match each state
- 16 dollar with two dollars of local funds in cash or
- 17 in equivalent support. All funds appropriated under
- 18 this section shall be received and disbursed by the
- 19 commission and shall not be used for administrative
- 20 purposes."
- 21 2. Page 4, line 22, by inserting after the word
- 22 "program" the words "and specifically required to
- 23 be used for chore, adult day care, and home repair
- 24 services".
- 25 3. Page 5, line 9, by inserting after the word
- 26 "match" the words ", where applicable,".
- 27 4. Page 5, line 20, by inserting after the words
- 28 "matching funds" the words ", where applicable,".

Roll call was requested by Jesse of Polk and Bruner of Story.

On the question "Shall amendment H — 4340 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Cochran
Connolly	Connors	Davitt	Dieleman
Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hinkhouse	Horn	Howell

Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	McKean
Norland	O'Kane	Oxley	Pavich
Rapp	Ritsema	Sherzan	Smalley
Walter	Wells	Welsh	Woods

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crawford
Cusack	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lorenzen	Maulsby
Menke	Miller	Mullins	Pellett
Pelton	Poffenberger	Pope	Schnekloth
Schroeder	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tyrrell
Van Maanen	West	Mr. Speaker	

Absent or not voting, 9:

Brandt	Chiodo	Crabb	Krewson
Lura	Patchett	Perkins	Tofte
Welden			

Amendment H — 4340 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Patchett of Johnson for the remainder of the day on request of Walter of Pottawattamie.

Miller of Buchanan asked and received unanimous consent to temporarily defer action on amendment H — 4334.

Miller of Buchanan offered the following amendment H — 4290 filed by him and moved its adoption:

H — 4290

- 1 Amend House File 758 as follows:
- 2 1. Page 1, by striking lines 5 and 6 and inserting
- 3 in lieu thereof the words "chore and adult day care
- 4 services for citizens of Iowa over sixty-".

- 5 2. Page 1, by striking lines 16 and 17 and
 6 inserting in lieu thereof the words "to increase the
 7 availability of chore and adult day care services
 8 to elderly citizens who need the services".

A non-record roll call was requested.

The ayes were 36, nays 55.

Amendment H—4290 lost.

Miller of Buchanan offered the following amendment H—4334 filed by him from the floor:

H—4334

- 1 Amend House File 758 as follows:
 2 1. Page 1, line 4, by inserting after the words
 3 "used for" the words "the construction of entrance
 4 ramps which meet the requirements of section one
 5 hundred four A point four (104A.4) of the Code and
 6 make buildings accessible to the physically handi-
 7 capped, and for".
 8 2. Page 1, line 15, by inserting after the word
 9 "established" the words "to provide support for the
 10 construction of entrance ramps to make buildings
 11 accessible to the physically handicapped, and".

The following amendment H—4352, to amendment H—4334 filed by Cusack of Scott from the floor was adopted by unanimous consent:

H—4352

- 1 Amend amendment H—4334 to House File 758 as
 2 follows:
 3 1. Page 1, line 6, by striking the word
 4 "buildings" and inserting in lieu thereof the
 5 word "residences".
 6 2. Page 1, line 10, by striking the word
 7 "buildings" and inserting in lieu thereof the
 8 word "residences".

Daggett of Taylor rose on a point of order that amendment H—4334 was not germane.

The Speaker ruled the point not well taken and amendment H—4334 germane.

On motion by Miller of Buchanan, amendment H—4334, as amended, was adopted.

Daggett of Taylor offered the following amendment H—4311 filed by him and Bruner of Story:

H—4311

- 1 Amend House File 758 as follows:
- 2 1. Page 1, line 8 by striking the word "department"
- 3 and inserting in lieu thereof the word "commission".
- 4 2. Page 1, line 14 by inserting after the word
- 5 "elderly" the word "Iowans".
- 6 3. Page 1, line 15 by inserting after the word
- 7 "The" the word "elderly".
- 8 4. Page 1, line 17 by striking everything after
- 9 the word "citizens".
- 10 5. Page 2, line 35 by striking the word "Developing"
- 11 and inserting in lieu thereof the word "Recommending".
- 12 6. Page 3, line 4, by striking the word "Developing"
- 13 and inserting in lieu thereof the word "Recommending".
- 14 7. Page 3, by striking lines 7 through 9 and inserting
- 15 in lieu thereof the following:
- 16 "3. Reviewing applications for grants to local area
- 17 agencies on aging.
- 18 4. Approving grants recommended by local area agencies
- 19 on aging which request".

Bruner of Story offered the following amendment H—4338, to amendment H—4311, filed by him from the floor and moved its adoption:

H—4338

- 1 Amend amendment H—4311 to House File 758 as
- 2 follows:
- 3 1. Page 1, by striking lines 14 through 19 and
- 4 inserting in lieu thereof the following:
- 5 "7. Page 3, by striking lines 7 through 10 and
- 6 inserting in lieu thereof the following:
- 7 "3. Reviewing applications for grants to local
- 8 area agencies on aging and approving any waivers
- 9 or modifications of the local match requirement
- 10 contained in the grants. However, rejection of
- 11 any waiver or modification request shall only
- 12 affect that portion of the grant for which the
- 13 waiver or modification was requested." "

Amendment H—4338 was adopted.

On motion by Daggett of Taylor, amendment H—4311, as amended, was adopted.

Cusack of Scott offered the following amendment H—4322 filed by Cusack, Bruner, Hansen of O'Brien and Daggett from the floor and moved its adoption:

H—4322

- 1 Amend House File 758 as follows:
- 2 1. Page 3, by striking lines 28 through 35
- 3 and inserting in lieu thereof the following: "to
- 4 the area by this method. Area agency on aging
- 5 applications shall consist of grant requests from
- 6 local, public and private organizations recommended
- 7 and prioritized by the area agency to the commission
- 8 based upon area wide needs assessment for elderly
- 9 low income Iowans and compatability with the com-
- 10 prehensive aging plan for the area. The inter-
- 11 agency coordinating committee shall review the
- 12 grant applications of area agencies on aging and
- 13 make recommendations to the commission regarding
- 14 the awarding of grants to area agencies on aging.
- 15 The commission shall have final responsibility for
- 16 awarding grants to the area agencies on aging. The
- 17 funds".
- 18 2. Page 4, by striking line 1.
- 19 3. Page 5, line 11, by inserting after the word
- 20 "citizens" the words "including low income elderly
- 21 citizens".
- 22 4. Page 5, line 13, by inserting after the word
- 23 "citizens" the words "with particular attention to
- 24 low income elderly citizens".
- 25 5. Page 5, by inserting after line 21 the fol-
- 26 lowing new subsection:
- 27 "8. Documentation of participant and other com-
- 28 munity involvement in program direction."

Amendment H—4322 was adopted.

Bruner of Story offered amendment H—4307 filed by him and requested division as follows:

H—4307

- 1 Amend House File 758 as follows:

H—4307A

- 2 1. Page 4, line 3, by inserting after the word
 3 "agencies" the words "by December first".
 4 2. Page 4, line 4, by inserting after the word
 5 "agencies" the words "by December first".
 6 3. Page 4, line 6, by striking the word "may"
 7 and inserting in lieu thereof the word "shall".

H—4307B

- 8 4. Page 4, by striking lines 29 through 31 and
 9 inserting in lieu thereof the following: "supported
 10 services. The inter-agency coordinating".

On motion by Bruner of Story, amendment H—4307A was adopted.

On motion by Bruner of Story, amendment H—4307B was adopted.

Daggett of Taylor 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. 758)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek

Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Chiodo	Crabb	Lura	Patchett
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 758)

Avenson of Fayette asked and received unanimous consent to immediately message House File 758 to the Senate.

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 on May 8, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 495, a bill for an act providing additional property tax relief for persons sixty-five years of age or older, altering reimbursement schedule for claims and extending the deadline for filing.

FRANK J. STORK, Secretary

SENATE MESSAGE CONSIDERED

Senate File 495, a bill for an act relating to additional property tax relief for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older and persons totally disabled by reducing the semiannual mobile home tax rate and by providing for the filing of claims for a credit on the property taxes due in the coming fiscal year, altering the reimbursement and credit schedule for property taxes due or rent constituting property taxes paid, extending the deadline for filing and making clarifying provisions.

Read first time and referred to committee on **ways and means**.

ADOPTION OF HOUSE RESOLUTION 41

Clark of Cerro Gordo asked and received unanimous consent for the immediate consideration of House Resolution 41 as follows and moved its adoption:

HOUSE RESOLUTION 41

By Clark of Cerro Gordo

1 *Whereas*, each November throughout the State of Iowa
2 nearly two hundred high school students apply and are
3 interviewed for the position of House or Senate Page.
4 Qualifications are checked thoroughly for scholastic
5 abilities, extra-curricular activities and political
6 acumen. Only fifty-six of these applicants are given the
7 opportunity to serve in the Iowa legislature, fourteen as
8 Senate Pages and forty-two as House Pages; and

9 *Whereas*, these young people who have been selected
10 have shown great initiative in order to become involved
11 in the legislative process, and have gained insights into
12 the law-making process which will be at their disposal in
13 time to come; and

14 *Whereas*, the Page program has been an important asset
15 to the Iowa legislature since the twenty-fourth general
16 assembly of 1892, and stands today and for the future as
17 an opportunity for young persons to become involved in
18 the law-making process; and

19 *Whereas*, the Iowa House and Senate Pages of the first
20 session of the sixty-eighth general assembly hope that
21 the interest and participation in the Iowa Page Program
22 will continue and increase; and

23 *Whereas*, the members of the House of Representatives
24 should recognize the young people who are now in the
25 learning process, and may in the near future be Iowa
26 legislators, *Now Therefore*

27 *Be It Resolved by the House of*
28 *Representatives of The Sixty-eighth General Assembly*, That
29 they join with the Governor in proclaiming May 8, 1979, as
30 House and Senate Page Day; and

31 *Be It Further Resolved*, That a copy of this Resolution
32 be given to each of the House Pages of the sixty-eighth
33 general assembly, 1979 session.

The motion prevailed and the resolution was adopted.

**REPORT ON THE CONFERENCE COMMITTEE
ON HOUSE FILE 706**

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 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service, respectfully make the following report:

1. That the Senate recede from its amendment H - 4032.
2. That House File 706 be amended as follows:

1. Page 1, lines 10 and 11, by striking the words "and be retroactive to July 1, 1978" and inserting in lieu thereof the words "from and".

ON THE PART OF THE HOUSE:

BETTY A. HOFFMANN, CHAIR
WILLIAM W. DIELEMAN
NORMAN G. JESSE
MICK LURA
DOUGLAS R. SMALLEY

ON THE PART OF THE SENATE:

A. R. BUD KUDART, CHAIR
FORREST V. SCHWENGELS
JOHN N. NYSTROM
NORMAN RODGERS
BOB RUSH

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 680**

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 680, as amended, passed and reprinted by the House, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans, and providing an exemption for certain benefit systems under section six hundred one A point thirteen (601A.13), respectfully make the following report:

1. That the Senate recede from its amendment H - 4145.

2. That House File 680, as amended, passed and reprinted by the House, be amended as follows:

1. Page 1, by striking line 11 through page 2, line 6, and inserting in lieu thereof the following:

"Sec. 3. Section ninety-seven B point forty-five (97B.45), unnumbered paragraphs two (2) and three (3), Code 1979, are amended by striking the paragraphs.

Sec. 4. Section ninety-seven B point forty-six (97B.46), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

97B.46 SERVICE AFTER AGE SIXTY-FIVE.

1. A member who is an employee of the state may remain in service beyond the date the member attains the age of sixty-five. The employee shall retire on the first day of the month after the last day of service. The employer shall not consider age as a factor in determining the continuation of the member's service.

2. A member who is not an employee of the state may remain in service beyond the date the member attains the age of sixty-five until attaining the age of seventy. After attaining the age of seventy, the member may remain in service for the periods as the employer approves and the member shall retire on the first day of the month following the last approved period. An employer who is not the state may adopt policies which prescribe retirement at age seventy or older.

3. A member shall not be employed as a peace officer or as a firefighter after attaining the age of sixty-five.

4. Credit for service shall cease when contributions cease as provided by section ninety-seven B point eleven (97B.11) of the Code. A member remaining in service after attaining the age of seventy years is entitled to receive a retirement allowance under section ninety-seven B point forty-nine (97B.49) of the Code as applicable commencing with payment for the calendar month within which the written notice is submitted to the department, except that if the member fails to submit the notice on a timely basis, retroactive payments shall be made for no more than six months immediately preceding the month in which the written notice is submitted."

2. Page 2, by inserting after line 23 the following:

"Sec. 7. Section one hundred seven point thirteen (107.13), Code 1979, is amended to read as follows:

107.13 OFFICERS AND EMPLOYEES. The director shall, with the consent of the commission, employ the number of assistants, including a professionally trained state forester, that are necessary to carry out the duties imposed on the commission; and, under the same conditions, the director shall appoint the number of officers and supervisory personnel that are necessary to enforce the laws and rules and regulations, the enforcement of which are imposed on the commission. The officers and supervisory personnel shall have the same powers that are conferred by law on peace officers in the enforcement of the laws of the state of Iowa and the apprehension of violators. Any person appointed as a full-time officer shall be at least ~~twenty-two~~ twenty-one years of age, but not more than ~~thirty-one~~ sixty-five years of age, on the date of his appointment. Officer means any person appointed by the state conservation commission to enforce the laws of this state under the jurisdiction of the commission."

3. Page 3, line 18, by striking the words "temporary disability or".

4. Page 3, by inserting after line 22 the following:

"NEW UNNUMBERED PARAGRAPH. An employee welfare plan may provide life, disability or health insurance benefits which vary by age based on actuarial

differences if the employer contributes equally for all the participating employees or may provide for employer contributions differing by age if the benefits for all the participating employees do not vary by age."

5. By renumbering the sections to conform with this amendment.

6. Amend the title, by striking lines 1 through 5 and inserting in lieu thereof the following:

"An act relating to discrimination on the basis of sex and age in conditions of employment and retirement."

ON THE PART OF THE HOUSE:

LESTER D. MENKE, Chair
JAMES JOHNSON
LEE HOLT
GREGORY CUSACK

ON THE PART OF THE SENATE:

FORREST V. SCHWENGELS, Chair
JOHN NYSTROM
CLARENCE CARNEY
ROBERT CARR

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 7, 1979, he approved and transmitted to the Secretary of State the following bills:

Senate File 81, an act to permit the use of temporary signs to notify the public of community events.

Senate File 183, an act relating to the maximum rates that may be paid for publication of notices, orders or other materials as required by law or ordinance.

Senate File 252, an act relating to municipal improvement districts.

Senate File 283, an act relating to the investment of cemetery perpetual care funds by cities.

Senate File 376, an act to allow the Director of the State Conservation Commission to contract for the removal of rough fish.

Senate File 401, an act to increase the scheduled fine for hunting, fishing, trapping, or catching a wild animal, bird, game or fish without obtaining a license or during a closed season.

Senate File 447, an act relating to pipelines by establishing construction standards for pipelines to protect soil conservation and drainage structures and practices and allowing land surveys by pipeline companies after notice.

Also: That on May 8, 1979, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 98, an act to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

Senate File 203, an act relating to the duties of the State Department of Transportation by designating the Department as the agent to receive and disburse federal funds allocated to the state and its political subdivisions for transportation purposes.

Senate File 405, an act to repeal the requirement that assessors file an annual agricultural land valuation report with the Department of Revenue.

Senate File 438, an act relating to the retention of the corporate existence of merged or consolidated nonprofit corporations for the purpose of receiving property by devise, bequest, gift or grant.

PRESENTATION OF VISITORS

Cochran of Webster presented to the House the following members of the Rotarian Group Study Exchange: Eric Robinson, Richard Sheard, Bill Brockbank, Charles Flynn, David Howard and Alan Gregg, all from England, and Lynne Bennett, Rotary Exchange Student from Australia. They were accompanied by Clarence Rice, Area Extension Specialist and Joe Marigon, Extension Director, from Fort Dodge, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

One hundred thirty eighth grade students from Winterset Junior High School, Winterset, Iowa, accompanied by Gary Christensen, Bonnie Bass, Carolyn Fellows and Gaylene Blankers. By Davitt of Warren.

Thirty junior students from Fox Valley High School, Milton, Iowa, accompanied by Joyce Bachman and Jerry Mohr. By Millen of Van Buren.

Forty fifth grade students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Mrs. True and Mrs. Lemke. By Thompson of Polk.

Nineteen eighth grade students from Green Mountain Junior-Senior High School, Green Mountain, Iowa, accompanied by Mrs. Henningsen. By West of Marshall.

Seventy-four ninth grade students from Roosevelt Junior High School, Mason City, Iowa, accompanied by Richard Attleson and Karen Baylor. By Clark of Cerro Gordo and Norland of Worth.

Sixteen students from South Tama School District, Tama, Iowa, accompanied by Lynn Ubben. By Husak of Tama.

Twenty-three senior students from Dexfield High School, Redfield, Iowa, accompanied by Frank Brigham. By Davitt of Warren.

EXPLANATION OF VOTE

Due to my membership on the National Conference of State Legislatures (N.C.S.L.) Arts Task Force, I was attending the fourth regional meeting in New York City on Wednesday, May 2. Had I been present, I would have voted "aye" on Senate Files 493, 269, 382; suspension of the rules to take up amendment H-4227 to House File 693, amendment H-4204A to Senate amendment H-4148 of House File 650, House Files 650, 450, 672, 693; amendment H-4170 to House File 2, and House File 2. I would have voted "nay" on House File 746, amendment H-3945 to amendment H-3686 of Senate File 382, and amendment H-4146 to House File 2.

BINA of Scott

COMMUNICATION FROM SECRETARY OF STATE

May 8, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 696, was published in The Des Moines Register, Des Moines, Iowa on April 30, 1979, and in The Cedar Rapids Gazette, Cedar Rapids, Iowa on May 1, 1979.

Respectfully submitted,
J. HERMAN SCHWEIKER
Deputy Secretary of State

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House.

COMMITTEE ON APPROPRIATIONS

Senate File 485, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Recommended Do Pass.

Senate File 489, a bill for an act relating to administration of certain public retirement systems.

Recommended Amend and Do Pass.

H-4335

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 2, by striking lines 12 through 17 and
- 4 inserting in lieu thereof the following:
- 5 "d. A retired member who became eligible for
- 6 benefits under the provisions of subsection 1 but
- 7 who did not serve is not eligible for the annual
- 8 readjustment of pensions provided in this subsection
- 9 unless the member served twenty-two years and did
- 10 not attain attained the age of fifty-five years prior
- 11 to the member's termination of employment shall not
- 12 be eligible for the annual readjustment of pensions
- 13 provided for by this subsection."
- 14 2. Page 2, line 23, by inserting after the word
- 15 "and" the words "shall continue to provide hospital,
- 16 nursing, and medical attention for injuries or diseases
- 17 incurred while in the performance of their duties".
- 18 3. Page 2, line 25, by striking the words "for
- 19 an injury".
- 20 4. Page 2, by striking line 26.
- 21 5. Page 2, line 27, by striking the words "of
- 22 duty".
- 23 6. Page 3, line 4, by inserting after the words
- 24 "or as" the word "city".
- 25 7. Page 7, line 33, by inserting after the figure
- 26 "1979," the words and figures "as amended by Senate
- 27 File two hundred eighty-two (282), section one (1),
- 28 as enacted by the Sixty-eighth General Assembly, 1979
- 29 Session".
- 30 8. Page 8, line 4, by striking the words "or the

31 administrator" and inserting in lieu thereof the words
32 "or city administrator".

33 9. Page 8, line 8, by striking the words "the
34 trust" and inserting in lieu thereof the words "a
35 trust".

36 10. Page 8, line 9, by striking the word "such"
37 and inserting in lieu thereof the word "its".

38 11. Page 8, by inserting after line 9 the following
39 section:

40 "Sec. . . . Section four hundred ten point eighteen
41 (410.18), Code 1979, as amended by House File four
42 hundred ninety-nine (499), section one (1), as enacted
43 by the Sixty-eighth General Assembly, 1979 Session,
44 is amended to read as follows:

45 410.18 HOSPITAL EXPENSE. Cities shall provide
46 hospital, nursing, and medical attention for the
47 members of the police and fire departments of ~~such~~
48 the cities, when injured while in the performance
49 of their duties as members of such department, and
50 shall continue to provide hospital, nursing, and

Page 2

1 medical attention for injuries or diseases incurred
2 while in the performance of their duties for members
3 being paid a pension by the city under section 410.8
4 for a disability contracted while the member was
5 engaged in the performance of duties, and the cost
6 of such hospital, nursing, and medical attention shall
7 be paid out of the appropriation for the department
8 to which such the injured person belongs or belonged;
9 provided that any amounts received by such the injured
10 person under the workers' compensation law of the
11 state, or from any other source for such specific
12 purposes, shall be deducted from the amount paid by
13 such the city under the provisions of this section."

14 12. Page 9, by striking lines 21 through 27 and
15 inserting in lieu thereof the following:

16 "d. A retired member ~~who became eligible for~~
17 ~~benefits under the provisions of subsection 1 of this~~
18 ~~section but who did not serve is not eligible for~~
19 the annual readjustment of pensions provided in this
20 subsection unless the member served twenty-two years
21 and did not attain attained the age of fifty-five
22 years prior to his termination of employment shall
23 not be eligible for the annual readjustment of pensions
24 provided for by this subsection."

25 13. Page 9, by inserting before line 28 the
26 following section:

27 "Sec. . . . Section four hundred eleven point
28 fifteen (411.15), Code 1979, as amended by House File

29 four hundred ninety-nine (499), section two (2), as
30 enacted by the Sixty-eighth General Assembly, 1979
31 Session, is amended to read as follows:
32 411.15 HOSPITALIZATION AND MEDICAL ATTENTION.
33 Cities shall provide hospital, nursing, and medical
34 attention for the members of the police and fire
35 departments of ~~such~~ the cities, when injured while
36 in the performance of their duties as members of such
37 department, ~~and shall continue to provide hospital,~~
38 ~~nursing, and medical attention for injuries or diseases~~
39 ~~incurred while in the performance of their duties~~
40 for members receiving a retirement allowance under
41 section 411.6, subsection 6, ~~for an injury or disease~~
42 ~~incurred in or aggravated by the actual performance~~
43 ~~of duty, and the cost of such~~ the hospital, nursing,
44 and medical attention shall be paid out of the
45 appropriation for the department to which ~~such the~~
46 ~~injured person belongs or belonged;~~ provided that
47 any amounts received by ~~such the~~ injured person under
48 the workers' compensation law of the state, or from
49 any other source for such specific purposes, shall
50 be deducted from the amount paid by ~~such the~~ city

Page 3

- 1 under the provisions of this section."
- 2 14. By numbering and renumbering sections and
- 3 correcting internal references as necessary.

Senate File 497, a bill for an act to make a supplemental appropriation to the department of social services for the medical assistance, foster care and homemaker services program.

Recommended Do Pass.

Senate File 498, a bill for an act making a supplemental appropriation to the state board of regents for the purpose of supplementing existing appropriations for fuel and purchased electricity during the fiscal year beginning July 1, 1978.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

Senate File 494, a bill for an act relating to the state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and the personal exemption credits, providing for an interim study of income tax indexation, and making certain provisions of the Act retroactive.

Recommended Amend and Do Pass.

H-4325

1 Amend Senate File 494 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section four hundred twenty-two point
5 four (422.4), Code 1979, is amended by adding the
6 following new subsection:

7 **NEW SUBSECTION.**

8 a. "Annual inflation factor" means an index,
9 expressed as a percentage, determined by the department
10 on or before May first of each year to reflect the
11 purchasing power of the dollar as a result of inflation
12 or deflation during the preceding calendar year,
13 except that in the 1979 calendar year the department
14 has thirty days after the effective date of this Act
15 to determine the annual inflation factor. In
16 determining the annual inflation factor, the department
17 shall use the annual percent change in the consumer
18 price index produced by the bureau of labor statistics
19 of the United States department of labor and shall
20 add one-fourth for the 1979 calendar year, two-fourths
21 for the 1980 calendar year, three-fourths for the
22 1981 calendar year, and four-fourths for calendar
23 years thereafter of that percent change to one hundred
24 percent, except that the amount of the percent change
25 added to the one hundred percent shall not exceed
26 the greater of zero or the difference between the
27 percent change and three percent. The annual inflation
28 factor and the cumulative inflation factor shall each
29 be expressed as a percentage rounded to the nearest
30 one-tenth of one percent.

31 b. "Cumulative inflation factor" means the product
32 of the annual inflation factor for the 1978 calendar
33 year and all annual inflation factors for subsequent
34 calendar years as determined pursuant to this
35 subsection. The cumulative inflation factor shall
36 apply to all tax years beginning on or after January
37 first of the calendar year in which the latest annual
38 inflation factor has been determined.

39 c. The annual inflation factor for the 1978
40 calendar year is one hundred percent."

41 2. Page 1, by inserting after line 29 the
42 following:

43 "Sec. 2. Section four hundred twenty-two point
44 five (422.5), Code 1979, is amended by adding the
45 following new unnumbered paragraph:

46 **NEW UNNUMBERED PARAGRAPH.** Upon determination of
47 the latest cumulative inflation factor, the director
48 of revenue shall multiply each dollar amount set forth
49 in subsections one (1) through thirteen (13) of this
50 section by this cumulative inflation factor, shall

Page 2

1 round off the resulting product to the nearest one
2 dollar and incorporate the result into the income
3 tax forms and instructions for each tax year. However,
4 the resulting product shall not reduce the dollar
5 amounts set forth in subsections one (1) through
6 thirteen (13) of section four hundred twenty-two point
7 five (422.5) of the Code below those specified on
8 January 1, 1979."

9 3. Page 1, line 34, by striking the words "one
10 thousand one" and inserting in lieu thereof the words
11 "one thousand two".

12 4. Page 1, line 35, by striking the word "one"
13 and inserting in lieu thereof the word "two".

14 5. Page 2, line 1, by striking the words "two
15 thousand two hundred" and inserting in lieu thereof
16 the words "three thousand".

17 6. Page 2, by striking lines 3 through 28 and
18 inserting in lieu thereof the following:

19 "Sec. . Section four hundred twenty-two point
20 twelve (422.12), subsection one (1), Code 1979, is
21 amended by adding the following new lettered paragraph:

22 NEW LETTERED PARAGRAPH. For tax years beginning
23 on or after January 1, 1979 and for each of the next
24 four succeeding tax years, the amount of the personal
25 exemption credits provided in this subsection shall
26 be increased in the amount of one dollar for each
27 tax year, except that the personal exemption credit
28 allowed under paragraph b of this subsection shall
29 be increased in the amount of two dollars for each
30 tax year. The personal exemption credits determined
31 pursuant to this paragraph for tax years beginning
32 on or after January 1, 1983 shall continue for
33 succeeding tax years."

34 7. Page 3, by inserting after line 23 the
35 following:

36 "Sec. . Section four hundred twenty-two point
37 twenty-one (422.21), Code 1979, is amended by adding
38 the following new unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH. The director shall
40 determine by May first of each year the annual and
41 cumulative inflation factors for each calendar year
42 to be applied to tax years beginning on or after
43 January first of that calendar year. The director
44 shall compute the new dollar amounts as specified
45 therein to be adjusted in section four hundred twenty-
46 two point five (422.5) of the Code by the latest
47 cumulative inflation factor and round off the result
48 to the nearest one dollar. The annual and cumulative
49 inflation factors determined by the director are not
50 rules as defined in section seventeen A point two

Page 3

- 1 (17A.2), subsection seven (7), of the Code.”
 2 8. Amend the title, line 4, by inserting after
 3 the word “credits,” the words “indexing the tax
 4 brackets.”
 5 9. By numbering, renumbering and correcting
 6 internal references as required by this amendment.

AMENDMENTS FILED

H—4321	H.F. 660	Stromer of Hancock Welden of Hardin Thompson of Polk
H—4323	S.F. 494	Miller of Buchanan
H—4324	S.F. 489	Evans of Grundy
H—4327	H.F. 660	Patchett of Johnson
H—4328	H.F. 660	Horn of Linn Patchett of Johnson
H—4329	H.F. 660	Horn of Linn Patchett of Johnson
H—4330	H.F. 660	Horn of Linn Patchett of Johnson
H—4331	H.F. 660	Groth of Buena Vista
H—4332	H.F. 660	Horn of Linn Patchett of Johnson
H—4339	H.F. 759	Schnekloth of Scott Hummel of Benton
H—4341	S.F. 489	Welden of Hardin
H—4342	H.F. 759	Rapp of Black Hawk
H—4343	S.F. 489	Brandt of Black Hawk
H—4344	H.F. 738	Jesse of Polk
H—4345	S.F. 489	Brandt of Black Hawk
H—4346	S.F. 494	West of Marshall
H—4347	H.F. 719	Evans of Grundy Ritsema of Sioux
H—4348	H.F. 747	Pelton of Clinton
H—4349	S.F. 489	Larsen of Wapello Clark of Cerro Gordo Lind of Black Hawk Cochran of Webster Arnould of Scott Gettings of Wapello Hullinger of Decatur

H-4350

H.F. 747

Egenes of Story

H-4351

H.F. 747

Egenes of Story

On motion by Halvorson of Clayton the House adjourned at 8:50 p.m., until 9:00 a.m., Wednesday, May 9, 1979.

JOURNAL OF THE HOUSE

One Hundred Twenty-second Calendar Day — Eighty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 9, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend Wayne Bartruff, pastor of the United Methodist Church, Fairfield, Iowa.

The Journal of Tuesday, May 8, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Fred Ashler, Hamburg, 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 members of the conference committee on the part of the Senate, appointed May 8, 1979, for House File 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made, are: The Senator from Pottawattamie, Senator Hester, Chair; the Senator from Winneshiek, Senator Craft; the Senator from Clarke, Senator Ramsey; the Senator from Dallas, Senator Rodgers; and the Senator from Polk, Senator Willits.

Also: That the members of the conference committee on the part of the Senate, appointed May 9, 1979, for House File 687, a bill for an act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, are: The Senator from Clarke, Senator Ramsey, Chair; the Senator from Muscatine, Senator Drake; the Senator from Kossuth, Senator Priebe; the Senator from Linn, Senator Rush; and the Senator from Buena Vista, Senator Waldstein.

Also: That the Senate has on May 7, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 735, a bill for an act appropriating funds to the office for planning and programming to match economic development and highway safety federal funds.

FRANK J. STORK, Secretary

**CONSIDERATION OF BILLS
UNFINISHED BUSINESS CALENDAR**

SENATE FILE 277 SUBSTITUTED FOR HOUSE FILE 498

Schroeder of Pottawattamie asked and received unanimous consent to substitute Senate File 277 for House File 498.

Senate File 277, a bill for an act relating to separation distances of anaerobic lagoons used in animal feeding operations, was taken up for consideration.

Schroeder of Pottawattamie offered the following amendment H-3983 filed by Schroeder, et al., and moved its adoption:

H-3983

- 1 Amend Senate File 277 as amended, passed and re-
- 2 printed by the Senate as follows:
- 3 1. Page 1, lines 6 and 7, by striking the words
- 4 "and except as provided in subparagraph two (2) of
- 5 this paragraph".
- 6 2. Page 1, by striking lines 30 through 35.
- 7 3. Page 2, by striking lines 1 through 14.

Amendment H-3983 was adopted, placing out of order amendments H-3390 and H-3408 filed March 13 and March 14, 1979 respectively by Spear of Lee.

Spear of Lee offered the following amendment H-3382 filed by him:

H-3382

- 1 Amend Senate File 277 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 13, by striking the words "two
- 4 hundred fifty" and inserting in lieu thereof the words
- 5 "eight hundred seventy-five".
- 6 2. Page 1, line 21, by striking the words "one
- 7 thousand eight hundred seventy-five" and inserting
- 8 in lieu thereof the words "two thousand five hundred".

Spear of Lee asked and received unanimous consent to withdraw amendment H-3886, to amendment H-3382, filed by him on April 12, 1979.

Spear of Lee moved the adoption of amendment H—3382.

A non-record roll call was requested.

The ayes were, 32, nays 54.

Amendment H—3382 lost.

Cochran of Webster offered amendment H—4354 filed by him from the floor and requested division as follows:

H—4354

- 1 Amend Senate File 277 as amended, passed and
- 2 reprinted by the Senate as follows:

H—4354A

- 3 1. Page 1, lines 6 and 7, by striking the words
- 4 and figure "subparagraph two (2)" and inserting in
- 5 lieu thereof the words and figures "subparagraphs
- 6 two (2) through four (4)".

H—4354B

- 7 2. Page 2, by inserting after line 14 the following
- 8 new subparagraph:
- 9 "(3) A person may build an anaerobic lagoon closer
- 10 to a residence not owned by the owner of the feeding
- 11 operation or to a public use area than is otherwise
- 12 permitted by subparagraph one (1) of this paragraph,
- 13 if the affected landowners enter into a written
- 14 agreement with the anaerobic lagoon owner to waive
- 15 the separation distances under such terms as the
- 16 parties may negotiate. The written agreement shall
- 17 become effective only upon recording in the office
- 18 of the recorder of deeds of the county in which the
- 19 residence is located."

Cochran of Webster asked and received unanimous consent to withdraw amendment H—4354A.

The following amendment H—4356, to amendment H—4354B, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-4356

- 1 Amend amendment H-4354 to Senate File 277 as
 2 amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 1, line 9, by inserting after the
 5 word "build" the words "or expand".

Spear of Lee asked for unanimous consent to temporarily defer action on Senate File 277.

Objection was raised.

Spear of Lee moved that Senate File 277 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 36, nays 51.

The motion lost.

Cochran of Webster moved the adoption of amendment H-4354B, as amended.

A non-record roll call was requested.

The ayes were 58, nays 21.

Amendment H-4354B, 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (S.F. 277)

The ayes were, 58:

Anderson, J.
 Clark, J.H.
 Crawford
 De Groot
 Evans

Bennett
 Cochran
 Daggett
 Diemer
 Groth

Branstad
 Conlon
 Danker
 Doyle
 Halvorson, R.A.

Clark, B.J.
 Crabb
 Davitt
 Egenes
 Halvorson, R.N.

Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lura	Maulsby	McKean
Mullins	Oxley	Pellett	Pelton
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Stromer	Swearingen	Tofte	Tyrrell
Van Maanen	Mr. Speaker		

The nays were, 41:

Anderson, R.	Arnold	Avenson	Bina
Binnieboese	Brandt	Bruner	Byerly
Chiodo	Connolly	Connors	Corey
Cusack	Dieleman	Gettings	Hall
Hibbs	Horn	Hummel	Jesse
Jochum	Krewson	Lloyd-Jones	Loneragan
Lorenzen	Menke	Miller	Norland
O'Kane	Patchett	Pavich	Perkins
Sherzan	Smalley	Spear	Thompson
Walter	Wells	Welsh	West
Woods			

Absent or not voting, 1:

Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 498 WITHDRAWN

Schroeder of Pottawattamie asked and received unanimous consent to withdraw House File 498 from further consideration by the House.

ADOPTION OF HOUSE RESOLUTION 37

Pursuant to House Rule 31, the Speaker announced that House Resolution 37, congratulating the Thomas Jefferson High School of Council Bluffs Chapter of Vocational and Industrial Clubs of America, filed on May 1, 1979 and found on page 1963 of the House Journal, was adopted by unanimous consent.

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 on May 9, 1979, 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 172, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud.

Also: That the Senate has on May 9, 1979, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation.

FRANK J. STORK, Secretary

Ways and Means Calendar

Senate File 488, a bill for an act relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored, with report of committee recommending amendment and passage was taken up for consideration.

Hanson of Delaware offered amendment H—4295 filed by the committee on ways and means on May 7, 1979 and found on page 2123 of the House Journal, and moved its adoption.

Amendment H—4295 was adopted.

Hanson of Delaware 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. 488)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors

Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Thompson	Tofte	Tyrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Avenson	Bennett	Jay	Poffenberger
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

(Senate File 488)

Hanson of Delaware asked and received unanimous consent to immediately message Senate File 488 to the Senate.

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of **Senate File 494**, a bill for an act relating to the state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and the personal exemption credits, providing for an interim study of income tax indexation, and making certain provisions of the Act retroactive, with report of committee recommending amendment and passage.

Conlon of Muscatine offered amendment H-4325 filed by the committee on ways and means on May 8, 1979 and found on pages 2192 through 2194 of the House Journal.

Poffenberger of Dallas offered the following amendment H—4353, to the committee amendment H—4325, filed by Poffenberger, Tyrrell, Mullins, Halvorson of Webster and Krewson from the floor and moved its adoption:

H—4353

- 1 Amend amendment H—4325 to Senate File 494 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 50.
- 4 2. Page 2, by striking lines 1 through 8.
- 5 3. Page 2, by striking lines 34 through 50.
- 6 4. Page 3, by striking lines 1 through 4.

Roll call was requested by Pope of Polk and Anderson of Jasper.

Rule 80 was invoked.

On the question "Shall amendment H—4353 be adopted?"

The ayes were, 11:

Egenes	Halvorson, R.N.	Jesse	Krewson
Miller	Mullins	Perkins	Poffenberger
Schneklath	Sherzan	Tyrrell	

The nays were, 87:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Norland	O'Kane	Oxley
Patchett	Pavich	Pellet	Pelton
Pope	Rapp	Ritsema	Schroeder
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

-Absent or not voting, 2:

Clark, J.H.

Stromer

Amendment H—4353 lost.

Schnekloth of Scott offered the following amendment H—4361, to the committee amendment H—4325, filed by him from the floor:

H—4361

- 1 Amend the Committee amendment, H—4325, to Senate
- 2 File 494 as follows:
- 3 1. Page 1, by striking lines 20 through 23 and
- 4 inserting in lieu thereof the words "add that percent
- 5 change to one hundred".
- 6 2. Page 1, by inserting after line 40 the
- 7 following:
- 8 "d. The annual inflation factor and the cumulative
- 9 inflation factor shall only be computed for the 1979
- 10 and 1980 calendar years."
- 11 3. Page 2, line 3, by inserting after the word
- 12 "year." the words "The director shall not alter the
- 13 dollar amounts specified in subsections one (1) through
- 14 thirteen (13) of this section for any tax year
- 15 beginning on or after January 1, 1981."
- 16 4. Page 2, by striking lines 40 and 41 and
- 17 inserting in lieu thereof the words and figures
- 18 "determine for the 1979 and 1980 calendar years the
- 19 annual and cumulative inflation factors for those
- 20 calendar years".
- 21 5. Page 2, line 48, by inserting after the word
- 22 "dollar." the words "The director shall not compute
- 23 new dollar amounts specified in subsections one (1)
- 24 through thirteen (13) of section four hundred twenty-
- 25 two point five (422.5) of the Code for any tax year
- 26 beginning on or after January 1, 1981."

(Senate File 494 and amendment H—4361, to the committee amendment H—4325, pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 12:07 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker pro tempore Harbor of Mills in the chair.

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 on May 9, 1979, 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 734, a bill for an act appropriating from the general fund to various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research and natural resources management.

FRANK J. STORK, Secretary

QUORUM CALL

Roll call was requested by Schroeder of Pottawattamie and De Groot of Lyon to determine that a quorum was present.

Present: 89

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellet	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Mr. Speaker (Harbor)			

Absent: 11

Branstad
Horn
Patchett

Connors
Hullinger
Stromer

Doyle
Lura
Woods

Egenes
Millen

SENATE FILE 494 TEMPORARILY DEFERRED

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on Senate File 494 and that the bill retain its place on the calendar and to take up for immediate consideration the reports of the conference committees on House Files 647, 680 and 706.

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 647)

Danker of Pottawattamie called up for consideration the report of the conference committee on House File 647, a bill for an act relating to the compensation of township trustees and township clerks, filed on May 7, 1979 and found on page 2117 of the House Journal and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Danker 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. 647)

The ayes were, 93:

Anderson, J.
Bennett
Branstad
Clark, B.J.
Connolly
Cusack
Dieleman
Groth
Hansen, I.
Hoffmann

Anderson, R.
Bina
Bruner
Clark, J.H.
Corey
Daggett
Diemer
Hall
Hanson, D.
Holt

Arnould
Binneboese
Byerly
Cochran
Crabb
Danker
Evans
Halvorson, R.A.
Hibbs
Horn

Avenson
Brandt
Chiodo
Conlon
Crawford
De Groot
Gettings
Halvorson, R.N.
Hinkhouse
Howell

Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 7:

Connors	Davitt	Doyle	Egenes
Hullinger	Millen	Patchett	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE
(House File 680)**

Menke of O'Brien called up for consideration the report of the conference committee on House File 680, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations and in pension plans, and providing an exemption for certain benefit systems under section six hundred one A point thirteen (601A.13), filed on May 8, 1979 and found on pages 2184 through 2186 of the House Journal and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Menke 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. 680)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Branstad
Chiodo	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	Danker	De Groot
Dieleman	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hummel
Husak	Jay	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Rapp
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker (Harbor)	

The nays were, 10:

Brandt	Bruner	Byerly	Clark, B.J.
Gettings	Hibbs	Mullins	Poffenberger
Pope	Sherzan		

Absent or not voting, 7:

Connors	Davitt	Doyle	Hullinger
Jesse	Millen	Tyrrell	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE
(House File 706)

Hoffmann of Muscatine called up for consideration the report of the conference committee on House File 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service, filed on May 8, 1979 and found

on page 2184 of the House Journal and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Hoffmann 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. 706)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker (Harbor)			

The nays were, none.

Absent or not voting, 7:

Connors	Cusack	Jay	Jesse
Johnson, R.	Millen	Tyrrell	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILL

House File 760, by committee on appropriations, a bill for an act providing for the appointment of two additional members to the commission for the blind and making an appropriation for their per diem and expenses.

Read first time and placed on the **appropriations calendar**.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

ORDERS OF THE DAY

Halvorson of Clayton asked and received unanimous consent for the consideration of bills in the following order: Senate File 373, House File 738 and Senate Files 495 and 362.

SENATE AMENDMENTS CONSIDERED

Pope of Polk called up for consideration **Senate File 373**, a bill for an act relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by reducing benefits from thirty-nine to twenty-six weeks and from sixty-six and two-thirds to fifty-eight percent of the average weekly wage and through recomputation of individual weekly benefit amounts and wage credits, and partial benefits, by providing for the recovery of overpayments, back pay, certain benefits, and funds due from government entities, by denying benefits during paid sabbatical leave, by offsetting benefits with severance pay, governmental retirement pay and back pay, by modifying the attachment and reattachment to-the-work-force requirements and certain disqualification and requalification requirements for voluntary quits, misconduct, and failure to accept suitable work, by establishing procedures for employer liability determinations and rates of contribution for government contributing employers, by recomputing certain charges against employer accounts and rates of contribution when employer reports are delinquent, by extending the appeal period for protesting

employers and the period for transmission of the job service record to a reviewing court, by clarifying the confidentiality of job service information and the job service subpoena and garnishment powers, by allowing certain vacation pay to offset benefits, by making technical corrections to chapter ninety-six (96) of the Code, and by making certain penalties consistent with the criminal code, amended by the House, further amended by the Senate amendment H-4182, received from the Senate on April 30, 1979 and found on pages 1903 and 1904 of the House Journal, and moved that the House concur in the Senate amendment H-4182 to the House amendment.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 52, nays 47.

The motion prevailed and the House concurred in the Senate amendment H-4182, to the House amendment.

Pope of Polk 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 passage which motion prevailed and the bill was read a last time.

Rule 80 was invoked.

On the question "Shall the bill pass?" (S.F. 373)

The ayes were, 65:

Anderson, J.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Dieleman	Diemer
Egenes	Evans	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Howell	Hullinger
Hummel	Husak	Jay	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Loneragan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath

Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 34:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Chiodo
Connolly	Connors	Cusack	Davitt
Doyle	Gettings	Hall	Halvorson, R.N.
Horn	Jesse	Jochum	Kirkenslager
Lind	Lloyd-Jones	Norland	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 1:

Harbor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED

Pope of Polk moved to reconsider the vote by which Senate File 373 passed the House on May 9, 1979, and to table the motion to reconsider.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 55, nays 45.

The motion prevailed.

Hoffmann of Muscatine called up for consideration **House File 738**, a bill for an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense, amended by the Senate amendment H-4313, received from the Senate on May 8, 1979, and found on pages 2132 and 2133 of the House Journal.

Cochran of Webster offered the following amendment H-4360, to the Senate amendment H-4313 filed by Cochran, Perkins, Norland and Binneboese from the floor and moved its adoption:

H-4360

1 Amend Senate amendment H-4313 to House File
 2 738, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 34 the
 5 following:
 6 " . Page 12, by striking line 5 and inserting in
 7 lieu thereof the following:
 8 "improvement \$3,000,000 \$3,000,000".
 9 2. Page 1, by inserting after line 37 the
 10 following:
 11 " . Page 12, by inserting after line 13 the
 12 following new subsection:
 13 " . Of the funds appropriated
 14 to the railroad assistance
 15 fund under subsection four (4)
 16 of this section, one million
 17 five hundred thousand
 18 (1,500,000) dollars shall be
 19 paid to the Milwaukee Railroad
 20 or to a railroad which
 21 purchases Milwaukee Road routes
 22 for each fiscal year of the
 23 biennium if the Milwaukee
 24 Railroad or subsequent
 25 buyers agree to continue
 26 service over the routes in
 27 this state as these routes
 28 existed on May 1, 1979
 29 for a period of five years
 30 from the effective date of
 31 this Act." "

Roll call was requested by Rapp of Black Hawk and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H-4360, to the Senate amendment H-4313, be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Loneragan	McKean	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Poffenberger	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	Menke	Mullins	Pellett
Pelton	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	West
Mr. Speaker			

Absent or not voting, 2:

Evans Welden

Amendment H—4360 lost.

Jesse of Polk offered the following amendment H—4344, to the Senate amendment H—4313, filed by him and moved its adoption:

H—4344

- 1 Amend the Senate amendment H—4313, to House File
- 2 738, as passed by the House and reprinted, as
- 3 follows:
- 4 1. Page 1, by striking lines 38 through 40 and
- 5 inserting in lieu thereof the following:
- 6 "9. Page 12, by striking line 16 and inserting
- 7 in lieu thereof the following:

8 "ment airplane, and two
9 additional aviation pool
10 airplanes.....\$ 425,000".

Roll call was requested by Jesse of Polk and Welsh of Dubuque.

Rule 80 was invoked.

On the question "Shall amendment H-4344, to the Senate amendment H-4313, be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hinkhouse	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Rapp	Spear
Tyrrell	Walter	Wells	Welsh
Woods			

The nays were, 55:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Weiden	West	Mr. Speaker	

Absent or not voting, none.

Amendment H-4344 lost.

Hoffmann of Muscatine moved that the House concur in the Senate amendment H-4313.

A non-record roll call was requested.

The ayes were 57, nays 34.

The motion prevailed and the House concurred in the Senate amendment H—4313.

Hoffmann 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 738)

The ayes were, 96:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneran	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimaneck
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 3:

Byerly	Jesse	Lura
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Absent or not voting, 1:

Crabb

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER TABLED

Hoffmann of Muscatine moved to reconsider the vote by which House File 738 passed the House on May 9, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 55, nays 42.

The motion prevailed.

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of **Senate File 495**, a bill for an act relating to additional property tax relief for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older and persons totally disabled by reducing the semiannual mobile home tax rate and by providing for the filing of claims for a credit on the property taxes due in the coming fiscal year, altering the reimbursement and credit schedule for property taxes due or rent constituting property taxes paid, extending the deadline for filing and making clarifying provisions, with report of committee recommending amendment and passage.

Thompson of Polk offered the following amendment H-4369 filed by the committee on ways and means on May 9, 1979 and moved its adoption:

H-4369

- 1 Amend Senate File 495 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 11, by inserting after line 34 the
- 4 following:
- 5 "Sec. . Chapter four hundred twenty-five (425),
- 6 Code 1979, is amended by adding the following new
- 7 section to the division on property tax relief for
- 8 the elderly and disabled:
- 9 NEW SECTION. In the case of a special charter
- 10 city which levies and collects its own taxes, the

- 11 appropriate city official shall be responsible for
 12 carrying out the duties and responsibilities imposed
 13 under this division upon the county treasurer."
 14 2. By numbering and renumbering as required by
 15 this amendment.

Amendment H—4369 was adopted.

Thompson 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. 495)

The ayes were, 100:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schneklath	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 495)

Thompson of Polk asked and received unanimous consent to immediately message Senate File 495 to the Senate.

HOUSE RECEDES

West of Marshall called up for consideration Senate File 362, a bill for an act to authorize the Iowa development commission to make loans to local development corporations for certain projects and making an appropriation, and moved that the House recede from its amendment.

The motion prevailed and the House recedes from its amendment.

West of Marshall 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. 362)

The ayes were, 93:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer

Thompson
Walter
Mr. Speaker

Tofte
Wells

Tyrrell
Welsh

Van Maanen
West

The nays were, none.

Absent or not voting, 7:

Anderson, R.
Swearingen

Egenes
Welden

Lorenzen
Woods

Sherzan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Files 734, 421 and 719.

HOUSE RECEDES

Tofte of Winneshiek called up for consideration **House File 734**, a bill for an act relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, and moved that the House recede from its amendment to the Senate amendment.

The motion prevailed and the House recedes from its amendment to the Senate amendment.

Tofte of Winneshiek 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. 734)

The ayes were, 93:

Anderson, J.
Bina
Bruner
Clark, J.H.
Connors

Anderson, R.
Binneboese
Byerly
Cochran
Corey

Arnould
Brandt
Chiodo
Conlon
Crabb

Bennett
Branstad
Clark, B.J.
Connolly
Crawford

Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Larsen	Lind
Lloyd-Jones	Loneragan	Lorenzen	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklloth
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	Woods
Mr. Speaker			

The nays were, 3:

Lura	Pellett	Schroeder
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Absent or not voting, 4:

Avenson	Egenes	Krewson	West
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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 TABLED

Tofte of Winneshiek moved to reconsider the vote by which House File 734 passed the House on May 9, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 54, nays 38.

The motion prevailed.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 421**, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law, and the Senate amendment H—3764, as amended, (found on page 1404 of the House Journal).

Pope of Polk moved to reconsider the vote by which amendment H—4084 (found on page 1918 of the House Journal) was adopted by the House on April 30, 1979, which motion prevailed.

Pope of Polk asked and received unanimous consent to withdraw amendment H—4084 (to the Senate amendment H—3764) filed by Pope, et al.

Pope of Polk offered the following amendment H—4306, to the Senate amendment H—3764, filed by Pope, et al., and moved its adoption:

H—4306

- 1 Amend the Senate amendment, H—3764, to House
- 2 File 421, as amended, passed, and reprinted by the
- 3 House, as follows:
- 4 1. Page 1, by striking lines 4 through 8 and
- 5 inserting in lieu thereof the following: "informa-
- 6 tion." the following: "The director shall place
- 7 upon the state tax form a notice to the taxpayer
- 8 that state tax information may be disclosed to tax
- 9 officials of another state or of the United States
- 10 for tax administrative purposes. The department
- 11 shall not authorize the examination of tax informa-
- 12 tion by officers and employees of this state,
- 13 another state, or of the United States if the officers
- 14 or employees would otherwise be required to obtain a
- 15 judicial order to examine the information if it were
- 16 to be obtained from another source, and if the pur-
- 17 pose of the examination is other than for tax admin-
- 18 istration. Nothing in this subsection shall prevent
- 19 the department from authorizing the examination of
- 20 state returns and state information when provided
- 21 under the provisions of section two hundred fifty-
- 22 two B point nine (252B.9) of the Code.

Amendment H—4306 was adopted.

Welsh of Dubuque asked and received unanimous consent to withdraw amendment H—4271 filed by him on May 3, 1979.

On motion by Shull of Warren, the House concurred in the Senate amendment H—3764, as amended.

Shull of Warren 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 421)

The ayes were, 83:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Bruner
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Connors	Corey	Crabb
Crawford	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Norland	Oxley	Pavich
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Van Maanen	Welden	Wells
Welsh	West	Woods	

The nays were, 12:

Bina	Byerly	Connolly	Cusack
Danker	Gettings	Hummel	Krewson
Miller	Pellett	Tyrrell	Walter

Absent or not voting, 5:

Branstad	Hinkhouse	O'Kane	Patchett
Mr. Speaker			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 373 AND 414 WITHDRAWN

Thompson of Polk asked and received unanimous consent to withdraw House Files 373 and 414 from further consideration by the House.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 8

Husak of Tama moved that the rules be suspended to withdraw from committee and adopt House Concurrent Resolution 8, designating the lady beetle as the state insect, filed on January 30, 1979 and found on pages 392 and 393 of the House Journal.

A non-record roll call was requested.

The ayes were 58, nays 32.

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION 27

By Krewson, Johnson of Linn, Bina, West, Clark of Lee, Crabb, Danker, Diemer, Hanson of Delaware, Larsen, Lorenzen, Poffenberger, Tyrrell, Brandt, Connors, Groth, Hall, Halvorson of Webster, O'Kane, Pavich, Spear and Wells

- 1 *Whereas*, chapter four hundred nineteen of the Code,
- 2 entitled "Municipal Support of Industrial Projects", was
- 3 enacted by the general assembly of the state of Iowa in
- 4 1963; and
- 5 *Whereas*, the chapter authorizes cities and counties
- 6 to issue industrial development revenue bonds to assist
- 7 in financing projects for industries, certain commercial
- 8 enterprises, hospitals and health care facilities, and
- 9 private colleges and universities; and
- 10 *Whereas*, over one hundred fifty projects have been
- 11 financed using the authority provided in chapter four
- 12 hundred nineteen; and
- 13 *Whereas*, the chapter has been expanded, amended, and
- 14 revised on numerous occasions during the past sixteen years,
- 15 including four separate amendments during the current legis-
- 16 lative session; and
- 17 *Whereas*, one of the results of these amendments is that
- 18 the chapter has become more difficult to read and interpret;
- 19 and

20 *Whereas*, there is growing concern about whether the
 21 present chapter enables the state of Iowa to compete effec-
 22 tively with surrounding states for new commercial and in-
 23 dustrial enterprises which might bring new jobs into Iowa;
 24 *Now Therefore*,
 25 *Be It Resolved By The House Of Representatives, The Senate*
 26 *Concurring*, That a joint subcommittee composed of five members
 27 of the house standing committee on cities and five members
 28 of the senate standing committee on cities be appointed during
 29 the 1979 legislative interim to comprehensively study chapter
 30 four hundred nineteen and other applicable sections of the Code.

Page 2

1 *Be It Further Resolved*, That the scope of this study
 2 include, but not be limited to, the following matters:
 3 1. Consideration of what types of activities are
 4 currently eligible for financing with tax-supported
 5 revenue bonds.
 6 2. Comparison and review of other states' statutes,
 7 especially those surrounding Iowa.
 8 3. Resolution of any existing problems with the
 9 language or format of chapter four hundred nineteen
 10 and other applicable sections, so that the law might
 11 be more easily read and understood by the public.
 12 4. Investigation of the potential use of chapter
 13 four hundred nineteen to provide lower interest rate
 14 mortgages through the issuance of local mortgage-backed
 15 revenue bonds.

Laid over under Rule 30.

PRESENTATION OF VISITORS

Husak of Tama presented to the House the following Foreign Exchange Students: Monica Bertolucci, Argentina; Sylvia Bullado, Argentina; Karen Margrethe Reed, Norway; Rosa Elena Raiz, Guatemala and Kazuko Jumonji, Japan. All are presently attending Grinnell High School, Grinnell, Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Twelve fifth grade students from Crossroads Park Elementary School, West Des Moines, Iowa, accompanied by Mrs. Chapman. By Thompson of Polk.

Forty-two fifth grade students from Laurens Marathon Elementary School, Laurens, Iowa. By Groth of Buena Vista.

Fifty sixth grade students from Gilbert Elementary School, Gilbert, Iowa, accompanied by Mrs. Gleason. By Egenes of Story.

Forty eighth grade students from Panora-Linden Middle School, Linden, Iowa, accompanied by Mary Jane Carson. By Poffenberger of Dallas and Anderson of Audubon.

Forty-five junior and senior students from Carroll High School, Carroll, Iowa, accompanied by Sandy Hood. By Perkins of Greene.

One hundred senior students from Grinnell Senior High School, Grinnell, Iowa, accompanied by Lamoyne Gaard, Kay Jordan and Gary Hayek. By Emil Husak of Tama.

Thirty-five sixth grade students from Seymour Elementary School, Seymour, Iowa, accompanied by Mrs. Olson and Miss Widmar. By Jay of Appanoose.

Forty eighth grade students from West Central Junior-Senior High School, Maynard, Iowa, accompanied by Pat Grennan and Ron Miller. By Avenson of Fayette.

Four students from Hamburg Community School, Hamburg, Iowa, accompanied by Dr. Fred Ashler. By Harbor of Mills.

Twenty-five fifth grade students from Madrid Elementary School, Madrid, Iowa, accompanied by Bessie Wolfe. By Lonergan of Boone.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday, May 8. Had I been present, I would have voted "aye" on House File 734.

DIELEMAN of Marion

Due to my membership on the National Conference of State Legislatures (N.C.S.L.) Arts Task Force, I was attending the fourth regional meeting in New York City on Thursday, May 3. Had I been present, I would have voted "aye" on House File 754, House amendment H-4247 to House File 755, House amendment H-4240C to

House File 755, House amendment H-4240B to House File 755, House amendment H-4259 to House File 755, House amendment H-4260 to House File 755, House amendment H-4262A to House File 755, House File's 755, 750, 751, 752; Senate File 9, House amendment H-4278 to Senate File 321, House amendment H-3733 to Senate File 321, and Senate File 321. I would have voted "nay" on House amendment H-4242 to House File 754, previous question on amendments, amendments to amendments and motions thereto to House File 755, House amendment H-4250 to House File 755, House amendment H-4263 to House File 755, House amendment H-4235 to House File 755 and Senate File 51.

BINA of Scott

I was necessarily absent from the House chamber on May 8. Had I been present, I would have voted "aye" on House File 758, and on amendments H-4340, H-4290, H-4334, H-4311, H-4338, H-4322 and H-4307.

PATCHETT of Johnson

I inadvertently voted "nay" on House Concurrent Resolution 8, I should have voted "aye."

COREY of Louisa

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act providing for the appointment of two additional members to the commission for the blind and making an appropriation for their per diem and expenses.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

Senate File 495, a bill for an act relating to additional property tax relief for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older and persons totally disabled by reducing the semiannual mobile home tax rate and by providing for the filing of claims for a credit on the property taxes due in the coming fiscal year, altering the reimbursement and credit schedule for property taxes due or rent constituting property taxes paid, extending the deadline for filing and making clarifying provisions.

Recommended Amend and Do Pass.

AMENDMENTS FILED

H - 4355	S.F. 494	Bruner of Story Lloyd-Jones of Johnson Halvorson of Webster Krewson of Polk Hibbs of Johnson
H - 4357	S.F. 494	West of Marshall Norland of Worth Conlon of Muscatine Bruner of Story
H - 4358	S.F. 494	Bruner of Story
H - 4359	S.F. 494	Crabb of Crawford Connors of Polk Doyle of Woodbury Rapp of Black Hawk
H - 4362	S.F. 494	Groth of Buena Vista
H - 4363	S.F. 494	Schnekloth of Scott
H - 4364	S.F. 494	Perkins of Greene Davitt of Warren
H - 4365	S.F. 489	Byerly of Polk Avenson of Fayette Horn of Linn
H - 4366	S.F. 489	Byerly of Polk Avenson of Fayette Horn of Linn
H - 4367	S.F. 489	Byerly of Polk
H - 4368	S.F. 489	Byerly of Polk
H - 4370	H.F. 719	Pelton of Clinton Evans of Grundy Larsen of Wapello Kirkenlager of Des Moines

H—4371 H.F. 747
 Norland of Worth
 Husak of Tama
 Anderson of Audubon
 Howell of Floyd
 Jesse of Polk
 Hanson of Delaware
 Anderson of Jasper
 Poffenberger of Dallas
 Clark of Cerro Gordo
 Welsh of Dubuque

H—4372 H.F. 747

H—4373 S.F. 489

H—4374 H.F. 759

Evans of Grundy
 Egenes of Story
 Ritsema of Sioux
 Mullins of Kossuth
 Miller of Buchanan
 McKean of Jones
 Swearingen of Keokuk
 Shimanek of Jones
 Groth of Buena Vista
 Krewson of Polk

Walter of Pottawattamie
 Krewson of Polk
 Bina of Scott
 Pavich of Pottawattamie
 Brandt of Black Hawk
 Rapp of Black Hawk

On motion by Halvorson of Clayton the House adjourned at 6:00 p.m., until 9:00 a.m., Thursday, May 10, 1979.

JOURNAL OF THE HOUSE

One Hundred Twenty-third Calendar Day—Eighty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, May 10, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by the Reverend John DeBoef, pastor of the Hilltop Chapel, What Cheer, Iowa.

The Journal of Wednesday, May 9, 1979 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Gary Lawrence, Ackley, 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 on May 8, 1979, receded from its amendment to, and passed the following bill:

House File 659, a bill for an act relating to the salary of the administrator of an area education agency.

Also: That the Senate has on May 8, 1979, 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 672, a bill for an act authorizing township trustees to divide a township into taxing districts to provide fire protection service.

Also: That the Senate has on May 8, 1979, 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 725, a bill for an act to amend the certificate of need law enacted in 1977.

Also: That the Senate has on May 9, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 742, a bill for an act making appropriations to various executive, legislative and judicial departments and agencies.

Also: That the Senate has on May 8, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 4, a bill for an act relating to theft of library materials and providing a penalty.

Also: That the Senate has on May 8, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 9, a bill for an act relating to motor fuel tax credits.

FRANK J. STORK, Secretary

ADOPTION OF HOUSE RESOLUTION 39

Pursuant to House Rule 31, the Speaker announced that House Resolution 39, expressing support and approval of the second Older Iowans Model Legislature to be held November 13-16, 1979, filed on May 2, 1979 and found on pages 1998 and 1999 of the House Journal, was adopted by unanimous consent.

IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Files 760, 742 and 172.

CONSIDERATION OF BILLS

Appropriations Calendar

House File 760, a bill for an act providing for the appointment of two additional members to the commission for the blind and making an appropriation for their per diem and expenses, with report of committee recommending passage 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.

Rule 80 was invoked.

On the question "Shall the bill pass?" (H.F. 760)

The ayes were, 49:

Anderson, J.
Brandt

Avenson
Bruner

Bennett
Byerly

Bina
Clark, J.H.

Conlon	Connolly	Connors	Crawford
Cusack	Danker	Davitt	De Groot
Egenes	Evans	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Hoffmann	Horn
Howell	Hullinger	Hummel	Jesse
Johnson, R.	Krewson	Lloyd-Jones	Lorenzen
Lura	Maulsby	Menke	Miller
Mullins	Pelton	Poffenberger	Ritsema
Schnekloth	Schroeder	Shimaneck	Swearingen
Thompson	Welden	Wells	Welsh
West			

The nays were, 46:

Anderson, R.	Binneboese	Branstad	Chiodo
Clark, B.J.	Cochran	Corey	Crabb
Daggett	Dieleman	Diemer	Doyle
Gettings	Groth	Hansen, I.	Harbor
Hibbs	Hinkhouse	Holt	Husak
Jay	Johnson, J.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	McKean
Norland	Oxley	Pavich	Pellett
Perkins	Pope	Rapp	Sherzan
Shull	Smalley	Spear	Stromer
Tofte	Tyrrell	Van Maanen	Walter
Woods	Mr. Speaker		

Absent or not voting, 5:

Arnould	Jochum	Lonergan	O'Kane
Patchett			

The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

SENATE AMENDMENT CONSIDERED

Lageschulte of Bremer called up for consideration **House File 742**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies, amended by the Senate amendment H-4375, received from the Senate on May 10, 1979 as follows:

H-4375

- 1 Amend House File 742 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 10 through 14 and
- 4 inserting in lieu thereof the following:

5 "1. For salaries, support, mainte."

6 2. Page 1, by striking lines 28 through 32 and
7 inserting in lieu thereof the following:
8 "open for the public without prior
9 appointment a minimum of twenty hours
10 per week and a minimum of five days
11 per week, in addition to arranged
12 special group tours,".

13 3. Page 9, by striking lines 16 through 20 and
14 inserting in lieu thereof the following:
15 "seventeen full-time equivalent
16 positions and maintenance and
17 miscellaneous purposes. The
18 division of the state historical
19 society may publish and print
20 the Iowa Journal and the Iowa
21 Goldfinch and shall sell the
22 publications and use the proceeds
23 to pay the costs of publication
24 and printing.....\$441,359 \$441,390".

25 4. Page 10, by striking line 5 and inserting in
26 lieu thereof the words:
27 "laneous purposes.....\$465,335 \$462,724".

28 5. Page 10, by inserting after line 8 the following new
29 lettered paragraph:

30 "e. For the division of the state historical
31 society for repair of an elevator in the centennial
32 building.....\$ 11,000".

33 6. Page 22, by inserting after line 23
34 the following:

35 "Sec. . Chapter two (2), Code 1979, is amended
36 by adding the following new section:

37 **NEW SECTION. PROGRAM EVALUATIONS.**

38 1. The general assembly may by concurrent
39 resolution or the legislative council may direct the
40 legislative fiscal bureau to conduct a program
41 evaluation of any agency of the state government.
42 Upon the passage of the concurrent resolution or
43 receiving the direction of the legislative council,
44 the legislative fiscal director shall inform the
45 chairpersons of the committees responsible for
46 appropriations of the anticipated cost of the program
47 evaluation and the number and nature of additional
48 personnel needed to conduct the program evaluation
49 and shall notify the official responsible for the
50 program to be evaluated.

Page 2

1 2. In conducting the program evaluation, the
2 legislative fiscal bureau shall make certain

3 determinations including but not limited to the
4 following:

5 a. Whether the state agency is conducting programs
6 and activities and expending funds appropriated to
7 it in compliance with the Acts of the general assembly,
8 the Code, and any federal, state or local rules which
9 are applicable.

10 b. Whether the state agency is conducting
11 authorized activities and programs pursuant to
12 objectives intended by the general assembly.

13 c. Whether the state agency is conducting programs
14 and activities and expending funds appropriated to
15 it in an efficient and effective manner.

16 d. Whether there are areas in which significant
17 inconsistency, duplication, or overlapping of
18 activities or programs occur either within the agency
19 or with respect to other agencies or programs.

20 e. The productivity of the agency's operations
21 measured in terms of cost-benefit relationships or
22 other accepted measures of effectiveness.

23 3. Upon the completion of the program evaluation,
24 the legislative fiscal director shall provide a copy
25 of the report to the governing official or board of
26 the agency and afford the agency a reasonable
27 opportunity to respond to the findings and
28 recommendations of the report. The response shall
29 be included in the report and the report released
30 to the legislative council. Until its release the
31 report shall be regarded as confidential by all persons
32 properly having custody of it.

33 4. The legislative fiscal director shall establish
34 a division in the legislative fiscal bureau to conduct
35 program evaluations. Members of the legislative
36 fiscal bureau assigned to the program evaluation
37 division may assist and be assisted by other members
38 of the bureau in their respective duties.

39 Sec. . Section two point forty-two (2.42),
40 Code 1979, is amended by striking subsection fifteen
41 (15).

42 Sec. . Sections two point seventy-six (2.76)
43 through two point eighty-one (2.81), Code 1979, are
44 repealed.

45 Sec. . There is appropriated from the general
46 fund of the state to the legislative fiscal bureau
47 for each fiscal year of the fiscal biennium beginning
48 July 1, 1979 and ending June 30, 1981 the following
49 amounts, or so much thereof as is necessary, for the
50 purpose of carrying out program evaluations:

Page 3

1		1979-1980	1980-1981
2		<u>Fiscal Year</u>	<u>Fiscal Year</u>
3	For salaries and support		
4	of not more than three full-		
5	time equivalent positions,		
6	and maintenance and miscel-		
7	laneous purposes	\$ 70,000	\$ 80,000"
8	7. Renumbering the sections and correcting cross		
9	references to conform with this amendment.		

The House stood at ease temporarily until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

Speaker pro tempore Harbor of Mills in the chair at 10:17 a.m.

Lageschulte of Bremer offered the following amendment H-4376, to the Senate amendment H-4375, filed by Jesse, Welden, Cusack, Lageschulte, Anderson of Jasper and Cochran from the floor and moved its adoption:

H-4376

- 1 Amend the Senate amendment, H-4375, to House
- 2 File 742, as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 2, by striking lines 39 through 44.

Amendment H-4376 was adopted.

On motion by Lageschulte of Bremer, the House concurred in the Senate amendment H-4375, as amended.

Lageschulte of Bremer 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 742)

The ayes were, 86:

- | | | | |
|--------------|--------------|---------|-------------|
| Anderson, J. | Anderson, R. | Avenson | Bennett |
| Bina | Binneboese | Brandt | Branstad |
| Bruner. | Byerly | Chiodo | Clark, B.J. |

Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	McKean	Menke
Millen	Mullins	Norland	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Walter	Welden	Wells	Welsh
Woods	Mr. Speaker (Harbor)		

The nays were, 6:

Johnson, R.	Lorenzen	Lura	Maulsby
Tyrrell	Van Maanen		

Absent or not voting, 8:

Arnould	De Groot	Jochum	Johnson, J.
Lonergan	Miller	O'Kane	West

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 742)

Lageschulte of Bremer asked and received unanimous consent to immediately message House File 742 to the Senate.

HOUSE RECEDES

Schroeder of Pottawattamie called up for consideration **House File 172**, a bill for an act providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits, and moved that the House recede from its amendment to the Senate amendment.

Roll call was requested by Connolly of Dubuque and Jochum of Dubuque.

Rule 80 was invoked.

On the question "Shall the House recede?"

The ayes were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Doyle
Egenes	Evans	Groth	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hullinger	Hummel	Husak
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lonergan	Lura	Maulsby	McKean
Menke	Millen	Mullins	Pellett
Pelton	Perkins	Poffenberger	Pope
Schnekloth	Schroeder	Shull	Stromer
Swearingen	Thompson	Tofte	Van Maanen
West	Mr. Speaker (Harbor)		

The nays were, 40:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Conlon	Connolly	Connors	Corey
Cusack	Davitt	Dieleman	Gettings
Hall	Halvorson, R.N.	Hinkhouse	Horn
Howell	Jay	Jesse	Jochum
Lloyd-Jones	Lorenzo	Miller	Oxley
Pavich	Rapp	Ritsema	Sherzan
Shimaneck	Smalley	Spear	Walter
Welden	Wells	Welsh	Woods

Absent or not voting, 6:

Avenson	Cochran	Norland	O'Kane
Patchett	Tyrrell		

The motion prevailed and the House receded from its amendment to the Senate amendment.

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. 172)

The ayes were, 62:

Anderson, J.	Anderson, R.	Bennett	Bina
Branstad	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Crabb	Crawford
Daggett	Danker	Davitt	De Groot
Diemer	Doyle	Groth	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Hullinger
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Loneragan	Lorenzen	Maulsby
McKean	Menke	Millen	Mullins
Oxley	Pellett	Pelton	Perkins
Poffenberger	Pope	Schnekloth	Schroeder
Shull	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker (Harbor)		

The nays were, 32:

Arnould	Binneboese	Brandt	Bruner
Conlon	Connolly	Connors	Corey
Cusack	Dieleman	Egenes	Gettings
Hall	Hanson, D.	Howell	Jay
Jesse	Jochum	Krewson	Lloyd-Jones
Miller	Patchett	Pavich	Rapp
Ritsema	Sherzan	Shimanek	Smalley
Spear	Walter	Wells	Welsh

Absent or not voting, 6:

Avenson	Evans	Lura	Norland
O'Kane	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Ritsema of Sioux called up for consideration **House File 719**, a bill for an act relating to hazardous waste management and providing penalties and injunctive relief, amended by the Senate amendment H-4031, received from the Senate on April 20 and found on page 1659 of the House Journal.

Perkins of Greene asked and received unanimous consent to withdraw amendment H-4083, to the Senate amendment H-4031, filed by him on April 24, 1979.

Ritsema of Sioux offered amendment H-4179, to the Senate amendment H-4031, filed by him and Evans of Grundy:

H-4179

- 1 Amend the Senate amendment, H-4031, to
- 2 House File 719 as amended, passed and reprinted
- 3 by the House, as follows:

H-4179A

- 4 1. Page 1, by striking lines 17 through 23.
- 5 2. Page 1, by striking line 25 and inserting
- 6 in lieu thereof the following:
- 7 "8. Page 5, line 18, by striking the word "A"
- 8 and inserting in lieu thereof the words "After two
- 9 years from the effective date of this Act, a"."

H-4179B

- 10 3. Page 1, by striking line 26.
- 11 4. Page 1, line 28, by inserting after the word
- 12 "threat." the following sentence: "The courts may
- 13 stay that part of the reduction or elimination of the
- 14 threat allocated to the state or governmental
- 15 subdivision until such time as public funds have been
- 16 appropriated to cover those allocated costs."

H-4179A

- 17 5. Page 1, by striking line 29.
- 18 6. Page 1, by striking lines 35 through 38 and
- 19 inserting in lieu thereof the following:
- 20 "14. Page 13, by striking lines 2 through 5
- 21 and inserting in lieu thereof the words "vacate the
- 22 order." "

On motion by Ritsema of Sioux, amendment H-4179A was adopted.

Ritsema of Sioux asked and received unanimous consent to temporarily defer action on amendment H-4179B.

Ritsema of Sioux offered the following amendment H-4195, to

the Senate amendment H—4031, filed by him and Evans of Grundy and moved its adoption:

H—4195

- 1 Amend the Senate amendment H—4031, to House File
- 2 719 as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking line 26 and inserting in
- 5 lieu thereof the following:
- 6 "9. Page 6, by inserting after line 26 the words
- 7 "for a period of up to ninety days"."

Amendment H—4195 was adopted.

Evans of Grundy offered the following amendment H—4347, to the Senate amendment H—4031, filed by him and Ritsema of Sioux and moved its adoption:

H—4347

- 1 Amend the Senate Amendment, H—4031, to House
- 2 File 719 as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 28, by inserting after the word
- 5 "threat." the following sentence: "Upon a finding
- 6 by a court that a serious and imminent threat to human
- 7 health exists the court may act and may stay that
- 8 part of the reduction or elimination of the threat
- 9 allocated to the state or governmental subdivision
- 10 until such time as public funds have been appropriated
- 11 to cover those allocated costs."

A non-record roll call was requested.

The ayes were 49, nays 33.

Amendment H—4347 was adopted.

Ritsema of Sioux asked and received unanimous consent to withdraw amendment H—4179B.

Pelton of Clinton asked and received unanimous consent to withdraw amendment H—4370, to the Senate amendment H—4031, filed by him on May 9, 1979, placing out of order amendment H—4377, to amendment H—4370, filed by Schroeder of Pottawatamie from the floor.

On motion by Ritsema of Sioux, the House concurred in the Senate amendment H—4031, as amended.

Ritsema of Sioux 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 719)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crawford	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
McKean	Menke	Millen	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
Woods	Mr. Speaker (Harbor)		

The nays were, 2:

Danker	Maulsby
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Absent or not voting, 8:

Bennett	Crabb	Jay	Krewson
Lura	Stromer	Welden	West

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 719)

Ritsema of Sioux asked and received unanimous consent to immediately message House File 719 to the Senate.

UNANIMOUS CONSENT TO VOTE

Byerly of Polk asked and received unanimous consent to be recorded as voting "aye" on House File 719 and the vote was so recorded.

HOUSE INSISTS

Krewson of Polk called up for consideration **Senate File 388**, a bill for an act to regulate the sale and use of certain beverage containers by prohibiting a manufacturer from requiring a distributor to pay to a manufacturer a refund value or deposit on a nonrefillable beverage container; prohibiting the importation of certain quantities of beverage containers not having a refund value indication as required by chapter four hundred fifty-five C (455C) of the Code; prescribing penalties for violations of departmental rules, the multiple redemption of nonrefillable beverage containers by a distributor, and certain acts and practices defined as fraudulent; authorizing distributors to cooperate and coordinate their business operations to carry out the purposes of chapter four hundred fifty-five C (455C) of the Code; and by authorizing a phaseout for containers not having a refund value indication for the period from July 1, 1979 through July 31, 1979, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

UNFINISHED BUSINESS

Senate File 361, a bill for an act increasing the share of the surviving spouse under the intestate succession laws, with report of committee recommending passage was taken up for consideration.

Patchett of Johnson asked and received unanimous consent to withdraw amendment H—3981 filed by Patchett, et al., on April 18, 1979.

Conlon of Muscatine asked and received unanimous consent to withdraw amendment H—3822 filed by him on April 9, 1979.

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. 361)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	HinRhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Lura	Maulsby	McKean	Menke
Millen	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Wells
Welsh	Woods	Mr. Speaker (Harbor)	

The nays were, none.

Absent or not voting, 5:

Jay	Rapp	Stromer	Welden
West			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

INTRODUCTION OF BILLS

House File 761, by committee on ways and means, a bill for an act increasing the individual exemptions allowed under section four hundred fifty point nine (450.9) of the Code for a surviving spouse, son, daughter, father, mother and other lineal descendant in computing the state inheritance tax.

Read first time and placed on the **ways and means calendar**.

House File 762, by Halvorson of Clayton and Avenson, a bill for an act to legalize proceedings taken by the city of Indianola relating to the letting of certain contracts.

Read first time and referred to committee on **ways and means**.

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 on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 647, a bill for an act relating to the compensation of township trustees and township clerks.

Also: That the Senate has on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 680, a bill for an act relating to age discrimination including the maximum age of employment in certain occupations.

Also: That the Senate has on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 706, a bill for an act relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service.

FRANK J. STORK, Secretary

Appropriations Calendar

Senate File 489, a bill for an act relating to administration and benefits of certain public retirement systems, with report of committee recommending amendment and passage was taken up for consideration.

Hansen of O'Brien asked and received unanimous consent to suspend Rule 25 and that Ed Longnecker, Director, Iowa Public Employees Retirement System, be permitted in the House chamber during consideration of Senate File 489.

On motion by Hansen of O'Brien, the committee amendment H-4335, filed by the committee on appropriations on May 8, 1979 and found on pages 2189 through 2191 of the House Journal, was adopted.

Brandt of Black Hawk asked and received unanimous consent to withdraw amendments H-4193 and H-4229 filed by her on April 30 and May 2 respectively.

Brandt of Black Hawk offered the following amendment H-4274 filed by her and moved its adoption:

H-4274

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 2, by inserting after line 35 the
4 following:

5 "Sec. . Section ninety-seven B point forty-
6 one (97B.41), subsection one (1), paragraph b,
7 subparagraph four (4), Code 1979, is amended to read
8 as follows:

9 (4) For each calendar year from January 1, 1976,
10 and thereafter through December 31, 1979, wages not
11 in excess of twenty thousand dollars.

12 Sec. . Section ninety-seven B point forty-one
13 (97B.41), subsection one (1), paragraph b, Code 1979,
14 is amended by adding the following new subparagraph:
15 NEW SUBPARAGRAPH. Effective January 1, 1979,
16 "covered wages" for a calendar year are equal to the
17 covered wages for the preceding calendar year times
18 one-half the percent of change in the consumer price
19 index, published by the bureau of labor statistics,
20 United States department of labor, during the preceding
21 calendar year times one hundred if the percent of
22 change is positive. If the percent of change in the
23 consumer price index during the preceding calendar
24 year is negative, covered wages for a calendar year
25 are equal to the covered wages for the preceding
26 calendar year."

27 2. By numbering and renumbering sections and
28 changing internal references as necessary.

Roll call was requested by Brandt of Black Hawk and Connolly of Dubuque.

On the question "Shall amendment H—4274 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Brüner	Byerly
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hibbs
Hinkhouse	Horn	Howell	Husak
Jesse	Jochum	Kirkenslager	Larsen
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Rapp	Sherzan	Spear	Thompson
Walter	Wells	Welsh	

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hoffmann	Holt	Hullinger
Hummel	Johnson, J.	Johnson, W.	Krewson
Lageschulte	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimaneck
Shull	Smalley	Stromer	Swearingen
Tofte	Tyrrell	Van Maanen	West
Woods	Mr. Speaker (Harbor)		

Absent or not voting, 7:

Chiodo	Egenes	Jay	Johnson, R.
Millen	Perkins	Welden	

Amendment H—4274 lost.

(Senate File 489 pending at recess.)

On motion by Halvorson of Clayton the House was recessed at 11:59 a.m. until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Millen in the chair.

QUORUM CALL

Roll call was requested by De Groot of Lyon and Hibbs of Johnson to determine that a quorum was present.

Present, 84:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Crabb	Crawford	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jochum	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Pavich
Pellett	Perkins	Poffenberger	Pope
Ritsema	Schneklath	Sherzan	Shimanek
Shull	Smalley	Spear	Swearingen
Tyrrell	Van Maanen	Welden	Wells
Welsh	West	Woods	Mr. Speaker

Absent, 16:

Arnould	Connors	Corey	Cusack
Holt	Jesse	Johnson, J.	Lloyd-Jones
Patchett	Pelton	Rapp	Schroeder
Stromer	Thompson	Tofte	Walter

Speaker pro tempore Harbor of Mills in the chair at 1:07 p.m.

BUSINESS PENDING

The House resumed consideration of **Senate File 489**, a bill for an act relating to administration and benefits of certain public retirement systems.

Brandt of Black Hawk asked and received unanimous consent to withdraw amendment H—4345 (to page 2) filed by her on May 8, 1979.

Speaker Millen in the chair at 1:17 p.m.

Byerly of Polk offered the following amendment H—4366 filed by Byerly, et al., and moved its adoption:

H—4366

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:
3 1. Page 2, by inserting after line 35 the following
4 section:
5 "Sec. . Section ninety-seven B point eleven
6 (97B.11), Code 1979, is amended to read as follows:
7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
8 Each employer shall deduct from the wages of each
9 member of the system a contribution in the amount
10 of three and six-tenths percent of the covered wages
11 paid by the employer through June 30, 1979, and
12 commencing July 1, 1979 in the amount of three and
13 seven-tenths percent of the covered wages paid by
14 the employer, until the first of the month in which
15 the member attains the age of seventy years, the
16 member has thirty years of membership service and
17 prior service, or the member's termination or
18 retirement from employment, whichever is earlier.
19 The contributions of the employer shall be in the
20 amount of three and one-half percent of the covered
21 wages of the member for service through December 31,
22 1975, and in the amount of five and twenty-five
23 hundredths percent of the covered wages of the member
24 for service commencing July 1, 1977 through June 30,
25 1979, and in the amount of five and seventy-five
26 hundredths percent of the covered wages of the member
27 for service commencing July 1, 1979."
28 2. By numbering and renumbering sections and
29 correcting internal references as necessary.

Roll call was requested by Anderson of Jasper and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H — 4366 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Horn	Howell	Hullinger
Jay	Jochum	Kirkenslager	Larsen
Lind	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherzan	Walter
Wells	Welsh	Woods	

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Krewson	Lageschulte	Lorezen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Mr. Speaker			

Absent or not voting, 8:

Daggett	Evans	Husak	Jesse
Patchett	Pelton	Welden	West

Amendment H — 4366 lost.

Brandt of Black Hawk offered the following amendment H — 4373 filed by her and moved its adoption:

H — 4373

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 2, by inserting after line 35 the following
- 4 section:
- 5 "Sec. . Section ninety-seven B point eleven
- 6 (97B.11), Code 1979, is amended to read as follows:

7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.

8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and ~~six-tenths~~ ~~seven-tenths~~ percent of the
 11 covered wages paid by the employer through ~~June 30,~~
 12 ~~1979, and~~ commencing July 1, 1979 through ~~June 30,~~
 13 ~~1980, and~~ in the amount of three and ~~seven-tenths~~
 14 ~~eight-tenths~~ percent of the covered wages paid by
 15 the employer commencing July 1, 1980, until the first
 16 of the month in which the member attains the age of
 17 seventy years or the member's termination or retirement
 18 from employment, whichever is earlier. The
 19 contributions of the employer shall be in the amount
 20 of three and one-half percent of the covered wages
 21 of the member for service through December 31, 1975,
 22 and in the amount of five and ~~twenty-five~~ ~~seventy-~~
 23 ~~five~~ hundredths percent of the covered wages of the
 24 member for service commencing July 1, ~~1977~~ 1979 through
 25 June 30, ~~1979~~ 1980, and in the amount of five ~~six~~
 26 and ~~seventy-five~~ ~~twenty-five~~ hundredths percent of
 27 the covered wages of the member for service commencing
 28 July 1, ~~1979~~ 1980."

29 2. Page 5, line 5, by striking the word "~~forty-~~
 30 ~~six~~" and inserting in lieu thereof the word "fifty".

31 3. Page 5, line 30, by striking the word "~~forty-~~
 32 ~~six~~" and inserting in lieu thereof the word "fifty".

33 4. Page 6, line 25, by striking the word "~~forty-~~
 34 ~~six~~" and inserting in lieu thereof the word "fifty".

35 5. By numbering and renumbering sections and
 36 correcting internal references as necessary.

Roll call was requested by Brandt of Black Hawk and Connolly of Dubuque.

On the question "Shall amendment H — 4373 be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hibbs	Hinkhouse	Horn
Howell	Hullinger	Jay	Jochum
Lloyd-Jones	Lonergan	Lura	Miller
Norland	O'Kane	Oxley	Pavich
Perkins	Rapp	Sherazan	Spear
Walter	Wells	Welsh	Woods

The nays were, 50:

Anderson, J.	Bennett	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Harbor
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Maulsby	McKean	Menke	Mullins
Pellet	Poffenberger	Pope	Ritsema
Schneklath	Schroeder	Shimaneck	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 6:

Branstad	Clark, B.J.	Husak	Jesse
Patchett	Pelton		

Amendment H — 4373 lost.

Larsen of Wapello offered the following amendment H — 4349 filed by Larsen, et al. :

H — 4349

1 Amend Senate File 489 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 4, by striking lines 32 through 35.
 4 2. Page 5, by striking lines 1 through 35.
 5 3. Page 6, by striking lines 1 through 4 and
 6 inserting in lieu thereof the following:
 7 "5. For each active member retiring between on
 8 or after January 1, 1976 and June 30, 1978, with four
 9 or more complete years of service, a monthly benefit
 10 shall be computed which is equal to one-twelfth of
 11 an amount equal to ~~forty~~ forty-six percent of the
 12 five-year average covered wage multiplied by a fraction
 13 of years of service. For each active member retiring
 14 on or after July 1, 1978 the monthly benefit computed
 15 under this subsection shall be equal to one-twelfth
 16 of an amount equal to ~~forty~~ forty-four percent of the five-
 17 year average covered wage multiplied by a fraction
 18 of years of service. For the purposes of this
 19 subsection, "fraction of years of service" means a
 20 number, not to exceed one, equal to the sum of the
 21 years of membership service and the number of years
 22 of prior service divided by thirty years.

23 If benefits under this subsection commence on an
24 early retirement date, the amount of benefit shall
25 be reduced in accordance with section 97B.50.

26 7. Notwithstanding the provisions of this chapter,
27 a member who is or has been employed as a conservation
28 peace officer under the provisions of section 107.13
29 and who retires between on or after January 1, 1976,
30 and June 30, 1978 and at the time of retirement is
31 at least sixty years of age and has completed at least
32 twenty-five years of membership service as a
33 conservation peace officer, may elect to receive,
34 in lieu of the receipt of any benefits under subsection
35 5 of this section, a monthly retirement allowance
36 equal to one-twelfth of ~~forty~~ ~~forty-six~~ percent of
37 the member's five-year average covered wage as a
38 conservation peace officer, with benefits payable
39 during the member's lifetime. ~~For each such member~~
40 ~~retiring on or after July 1, 1978, the monthly benefit~~
41 ~~computed under this subsection shall be equal to one-~~
42 ~~twelfth of an amount equal to forty-four percent of~~
43 ~~the five-year average covered wage as a conservation~~
44 ~~peace officer multiplied by a fraction of years of~~
45 ~~service.~~ There is appropriated from the general fund
46 of the state to the department of job service from
47 funds not otherwise appropriated an amount sufficient
48 to pay eight and forty-three hundredths percent of
49 the covered wages of each conservation peace officer,
50 in addition to the contribution paid by the employer

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1 under section 97B.11, to finance increased benefits
2 to conservation peace officers under this subsection."

3 4. Page 6, by striking lines 8 through 26 and
4 inserting in lieu thereof the following:

5 "a. Notwithstanding the provisions of this chapter,
6 effective July 1, 1979 to be included in county budgets
7 for the fiscal year beginning July 1, 1979, a member
8 who is or has been employed as a county sheriff, as
9 defined in section 39.17, or as a deputy sheriff
10 appointed pursuant to chapter 341, and who retires
11 on or after January 1, 1978, and at the time of
12 retirement is at least sixty years of age and has
13 completed at least twenty-five years of membership
14 service as a county sheriff or deputy sheriff, may
15 elect to receive, in lieu of the receipt of any
16 benefits under subsection 5 of this section, a monthly
17 retirement allowance equal to one-twelfth of ~~forty-~~
18 ~~four~~ ~~forty-six~~ percent of the member's five-year
19 average covered wage as a sheriff or deputy sheriff,
20 with benefits payable during the member's lifetime."

Horn of Linn offered the following amendment H-4380, to amendment H-4349, filed by him and Arnould of Scott from the floor and moved its adoption:

H-4380

1 Amend the Larsen et al amendment, H-4349, to Senate
 2 File 489, as amended, passed, and reprinted by the
 3 Senate, as follows:
 4 1. Page 2, by inserting after line 20 the
 5 following:
 6 " . Page 6, by inserting after line 32 the
 7 following section:
 8 "Sec. . Section ninety-seven B point forty-
 9 nine (97B.49), Code 1979, is amended by adding the
 10 following new subsection:
 11 NEW SUBSECTION. There is appropriated from the
 12 general fund of the state to the Iowa public employees'
 13 retirement system fund, an amount necessary to pay
 14 the costs of the increases in the monthly retirement
 15 allowances provided because of the increase to forty-
 16 six percent of the five-year average covered wage
 17 for members retiring under subsections five (5), seven
 18 (7), and eight (8) of this section between January
 19 1, 1976 and June 30, 1979." "

Roll call was requested by Byerly of Polk and Chiodo of Polk.

Rule 80 was invoked.

On the question "Shall amendment H-4380, to amendment H-4349, be adopted?"

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Lind	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spears	Swearingen
Walter	Wells	Welsh	Woods

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellett	Poffenberger	Pope
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Stromer	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 7:

Clark, B.J.	Egenes	Husak	Patchett
Pelton	Perkins	Schroeder	

Amendment H—4380 lost.

Larsen of Wapello moved the adoption of amendment H—4349.

Roll call was requested by Byerly of Polk and Avenson of Fayette.

On the question "Shall amendment H—4349 be adopted?"

The ayes were, 84:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Cusack
Daggett	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	McKean	Miller	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp

Ritsema	Schneklath	Sherzan	Shull
Smalley	Spear	Swearingen	Thompson
Tofte	Van Maanen	Walter	Wells
Welsh	West	Woods	Mr. Speaker

The nays were, 15:

Anderson, J.	Bennett	Branstad	Clark, J.H.
Crawford	Danker	Hansen, I.	Holt
Johnson, R.	Maulsby	Schroeder	Shimaneck
Stromer	Tyrrell	Welden	

Absent or not voting, 1:

Clark, B.J.

Amendment H—4349 was adopted placing the following amendments out of order:

H—4197 (to page 4) filed by Gettings, et al., on April 30, 1979.

H—4378 (to amendment H—4197) filed by Chiodo of Polk from the floor.

- H—4341 (to page 5) filed by Welden of Hardin on May 8, 1979.

H—4343 (to page 5) filed by Brandt of Black Hawk on May 8, 1979.

H—4365 (to page 5) filed by Byerly, et al., on May 9, 1979.

H—4368 (to page 5) filed by Byerly of Polk on May 9, 1979.

Daggett of Taylor asked and received unanimous consent that Miller of Buchanan be recorded as voting "aye" on amendment H—4349 and the vote was so recorded.

Horn of Linn offered the following amendment H—4166 filed by him and moved its adoption:

H—4166

1 Amend Senate File 489, as passed and reprinted

2 by the Senate as follows:

3 1. Page 6, by inserting after line 26 the follow-

4 ing:

5 "A member who has served one or more terms as a

6 county sheriff, as defined in section thirty-nine

7 point seventeen (39.17) of the Code, whose service

8 as sheriff is terminated prior to age sixty, other

9 than by death, shall upon reaching sixty years of

10 age be eligible to receive a retirement allowance

11 under this subsection. The retirement allowance is
 12 equal to the amount of the retirement allowance the
 13 member would have received if the member had completed
 14 twenty-five or more years of service divided by twenty-
 15 five multiplied by the number of years of service
 16 the member had served as a county sheriff."

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 42, nays 50.

Amendment H—4166 lost.

Byerly of Polk offered the following amendment H—4379 filed by him and Pavich of Pottawattamie from the floor and moved its adoption:

H—4379

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 6, by inserting after line 32 the following
 4 section:
 5 "Sec. . . Section ninety-seven B point forty-
 6 nine (97B.49), Code 1979, is amended by adding the
 7 following new subsection:
 8 **NEW SUBSECTION.** Effective July 1, 1979, for each
 9 member who retired from the system prior to July 1,
 10 1979, the amount of the regular monthly retirement
 11 allowance attributable to membership service and prior
 12 service that was payable to the member, beneficiary,
 13 or contingent annuitant for June 1979 is increased
 14 by ten percent. There is appropriated from the general
 15 fund of the state, from funds not otherwise
 16 appropriated, to the Iowa public employees' retirement
 17 system fund, an amount sufficient to fund the
 18 provisions of this subsection."
 19 2. Amend the title, line 2, by inserting after
 20 the word "systems" the words "and to make an
 21 appropriation".
 22 3. By numbering and renumbering sections as
 23 necessary.

Roll call was requested by Byerly of Polk and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—4379 be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hanson, D.	Hibbs	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jochum	Lloyd-Jones	Lonerger	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 50:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pelton	Poffenberger
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 5:

Daggett	Harbor	Jesse	Pope
West			

Amendment H—4379 lost.

Hummel of Benton asked and received unanimous consent that Miller of Buchanan be recorded as voting "aye" on amendment H—4379 and the vote was so recorded.

Byerly of Polk offered the following amendment H—4160 filed by him and moved its adoption:

H—4160

1 Amend Senate File 489 as passed and reprinted by
2 the Senate, as follows:

3 1. Page 7, by inserting after line 7 the follow-
4 ing section:

5 "Sec. . Section ninety-seven B point seventy-
6 three (97B.73), Code 1979, is amended to read as
7 follows:

8 97B.73 MEMBERS FROM OTHER STATES PUBLIC SYSTEMS.
9 A vested or retired member who was not a vested member
10 of a public retirement system established under
11 sections two hundred ninety-four point eight (294.8),
12 two hundred ninety-four point nine (294.9), and two
13 hundred ninety-four point ten (294.10) of the Code
14 or a public retirement system in another state may,
15 upon submitting verification of membership and service
16 in the other public retirement system in another state
17 to the department not later than July 1, 1979 for
18 members vested on July 1, 1978 or within one year
19 after the member becomes vested, make employer and
20 employee contributions to the system for the period
21 of service in the other public retirement system in
22 another state and receive credit for membership service
23 in this system. The contributions paid by the vested
24 or retired member for service in the other public
25 retirement system in another state shall be equal
26 to the accumulated contributions as defined in section
27 97B.41, subsection 13, by the member for that period
28 of membership service and the contributions of the
29 employer which would have been contributed for that
30 period of membership service plus interest on the
31 contributions for the period from the date of service
32 of the member in the other public retirement system
33 in another state to the date of payment of the
34 contributions by the member equal to two percent plus
35 the interest dividend rate applicable for each year."

A non-record roll call was requested.

The ayes were 76, nays 13.

Amendment H—4160 was adopted.

Horn of Linn offered the following amendment H—4270 filed by
him and moved its adoption:

H-4270

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:

3 1. Page 7, line 9, by striking the word "section"
4 and inserting in lieu thereof the word "sections".

5 2. Page 7, by inserting after line 31 the
6 following:

7 "NEW SECTION. An active, vested, or retired member
8 who has been a member of the system since July 1,
9 1971 and who during all or a portion of the period
10 commencing July 1, 1967 and ending June 30, 1971 made
11 contributions to the teacher's insurance annuity
12 association-college retirement equity fund because
13 of employment by an area school established under
14 chapter two hundred eighty A (280A) of the Code, and
15 received a refund of the contributions made to the
16 teacher's insurance annuity association-college
17 retirement equity fund during this period, may elect
18 in writing to the department to make contributions
19 to the system for the period during which the member
20 made contributions to the teacher's insurance annuity
21 association-college retirement equity fund.

22 The contributions paid by the member shall be paid
23 not later than June 30, 1980 and shall be equal to
24 seven percent times the amount of the covered wages
25 received by the member during that period plus interest
26 which would have accrued on the amount equal to two
27 percent plus the interest dividend rate applicable
28 for each year compounded annually to the date of
29 payment by the member."

Amendment H-4270 lost.

Evans of Grundy offered the following amendment H-4324
filed by him and moved its adoption:

H-4324

1 Amend Senate File 489, as passed and reprinted by
2 the Senate, as follows:

3 1. Page 7, line 9, by striking the word "section"
4 and inserting in lieu thereof the word "sections".

5 2. Page 7, by inserting after line 31 the follow-
6 ing:

7 "NEW SECTION. PRIOR EMPLOYMENT. An active, vested,
8 or retired member who was employed prior to January
9 1, 1946 by the state or a political subdivision,
10 except for a member employed by a school district
11 which had established a pension and annuity retire-

12 ment system under sections two hundred ninety-four
 13 point eight (294.8), two hundred ninety-four point
 14 nine (294.9), and two hundred ninety-four point ten
 15 (294.10) of the Code, and was not employed by the
 16 state or a political subdivision between January 1,
 17 1946 and July 4, 1953, may file written verification
 18 of the member's dates of employment with the depart-
 19 ment of job service and receive credit for years of
 20 prior service for the period of employment."
 21 2. By numbering and renumbering sections and
 22 correcting internal references as necessary.

Roll call was requested by Brandt of Black Hawk and Lloyd-Jones of Johnson.

Rule 80 was invoked.

On the question "Shall amendment H—4324 be adopted?"

The ayes were, 55:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Cochran
Cannolly	Connors	Cusack	Davitt
Dieleman	Doyle	Egenes	Evans
Gettings	Hall	Halvorson, R.N.	Hibbs
Hoffmann	Horn	Hullinger	Jay
Jochum	Johnson, J.	Kirkenslager	Lloyd-Jones
Lonergan	Lura	McKean	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pelton	Perkins
Poffenberger	Pope	Rapp	Sherzan
Shimanek	Smalley	Spear	Walter
Wells	Welsh	Woods	

The nays were, 40:

Bennett	Branstad	Clark, J.H.	Conlon
Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Groth
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hinkhouse	Holt	Hummel	Husak
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lorenzen	Maulsby	Menke
Pellett	Ritsema	Schnekloth	Schroeder
Shull	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	Mr. Speaker

Absent or not voting, 5:

Howell
West

Jesse

Lind

Stromer

Amendment H—4324 was adopted.

Byerly of Polk offered the following amendment H—4367 filed by him and moved its adoption:

H—4367

1 Amend Senate File 489, as passed and reprinted
2 by the Senate, as follows:
3 1. Page 7, line 10, by inserting after the word
4 "member" the words ", or an inactive, nonvested member
5 who has not withdrawn all of his or her contributions
6 from the system,".

A non-record roll call was requested.

The ayes were 43, nays 48.

Amendment H—4367 lost.

Speaker pro tempore Harbor of Mills in the chair at 2:48 p.m.

Welden of Hardin offered the following amendment H—4385 filed by him and Hansen of O'Brien from the floor and moved its adoption:

H—4385

1 Amend Senate File 489, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 10, by inserting after line 20, the
4 following section:
5 "Sec. . . . There is appropriated from the general
6 fund of the state for the fiscal biennium beginning
7 July 1, 1979 and ending June 30, 1981, to the
8 legislative fiscal bureau, the sum of ten thousand
9 (10,000) dollars, or as much thereof as is necessary,
10 to be used for compensating an actuary.
11 Notwithstanding section two point fifty-three (2.53)
12 of the Code, the director of the legislative fiscal
13 bureau shall employ, on an hourly basis, an actuary
14 to perform actuarial studies relating to proposed
15 and pending legislation on public retirement systems.

16 The hourly rate of compensation is subject to the
 17 approval of the legislative council.”
 18 2. Amend the title, line 2, by inserting after
 19 the word “systems” the words “and to make an
 20 appropriation”.

Amendment H—4385 was adopted.

Byerly of Polk offered the following amendment H—4387 filed
 by him from the floor and moved its adoption:

H—4387

1 Amend Senate File 489, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 10, by inserting after line 24 the
 4 following section:
 5 “Sec. . Section “seven” (7) of this act
 6 is effective for members of the general assembly
 7 commencing January 12, 1981.”

A non-record roll call was requested.

The ayes were 71, nays 21.

Amendment H—4387 was adopted.

Connors of Polk offered the following amendment H—4381 filed
 by Connors, Woods and Horn from the floor and moved its adoption:

H—4381

1 Amend Senate File 489, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 3 the following
 4 sections:
 5 “Sec. . Section ninety-seven A point six
 6 (97A.6), subsection one (1), paragraphs a and c, Code
 7 1979, are amended to read as follows:
 8 a. Any A member in service may retire upon his
 9 the member's written application to the board of
 10 trustees, setting forth at what time, not less than
 11 thirty nor more than ninety days subsequent to the
 12 execution and filing thereof, ~~he the member desires~~
 13 to be retired, ~~provided, that if the said member at~~
 14 the time so specified for his retirement ~~shall have~~
 15 ~~attained the age of fifty-five and shall have has~~
 16 completed ~~twenty-two~~ twenty-five years or more of
 17 creditable service, and notwithstanding that, during

18 ~~such~~ the period of notification, ~~he~~ the member may
19 have separated from the service.

20 c. Any A member in service who has been a member
21 of the retirement system fifteen or more years and
22 whose employment is terminated prior to the member's
23 retirement, other than by death or disability, shall
24 upon attaining retirement the age at which the member
25 would have completed twenty-five years of service,
26 receive a service retirement allowance of fifteen
27 ~~twenty-second~~ twenty-fifths of the retirement
28 allowance the member would receive at retirement if
29 the member's employment had not been terminated, and
30 an additional one ~~twenty-second~~ twenty-fifth of ~~such~~
31 the retirement allowance for each additional year
32 of service not exceeding ~~twenty-two~~ twenty-five years
33 of service. The amount of the retirement allowance
34 shall be based on the average final compensation at
35 the time of termination of employment.

36 Sec. . Section ninety-seven A point six (97A.6),
37 subsections four (4) and six (6), Code 1979, are
38 amended to read as follows:

39 **4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.**

40 Upon retirement for ordinary disability a member shall
41 receive a service retirement allowance if the member
42 has attained the age of fifty-five completed twenty-
43 five years or more of creditable service, otherwise
44 the member shall receive an ordinary disability
45 retirement allowance which shall consist of a pension
46 which shall equal forty percent of the member's average
47 final compensation except if the member has not had
48 five or more years of membership service, the member
49 shall receive a pension equal to one-fourth of the
50 member's average final compensation.

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1 **6. RETIREMENT AFTER ACCIDENT.** Upon retirement
2 for accidental disability a member shall receive a
3 service retirement allowance if the member has attained
4 the age of fifty-five completed twenty-five years
5 or more of creditable service, otherwise the member
6 shall receive an accidental disability retirement
7 allowance which shall consist of a pension equal to
8 sixty-six and two-thirds percent of the member's
9 average final compensation.

10 Sec. . Section ninety-seven A point six (97A.6),
11 subsection seven (7), unnumbered paragraph one (1)
12 and paragraphs a and b, Code 1979, are amended to
13 read as follows:

14 Once each year during the first five years following
15 the retirement of a member on a disability retirement

16 allowance, and once in every three-year period
 17 thereafter, the board of trustees may, and upon his
 18 the member's application shall, require ~~any~~ a
 19 disability beneficiary who has would not yet attained
 20 age fifty-five have completed twenty-five years or
 21 more of creditable service if the beneficiary had
 22 remained in active service to undergo a medical
 23 examination at a place designated by the medical
 24 board. Such The examination shall be made by the
 25 medical board or in special cases, by an additional
 26 physician or physicians designated by such the board.
 27 Should ~~any~~ a disability beneficiary who has would
 28 not attained the age of fifty-five have completed
 29 twenty-five years or more of creditable service if
 30 the beneficiary had remained in active service refuse
 31 to submit to such the medical examination, ~~his~~ the
 32 member's allowance may be discontinued until his the
 33 member's withdrawal of such the refusal, and should
 34 his the member's refusal continue for one year all
 35 rights in and to his the member's pension may be
 36 revoked by the board of trustees.

37 a. Should ~~any~~ a beneficiary for either ordinary
 38 or accidental disability, except a beneficiary who
 39 is fifty-five years of age or over and would have
 40 completed twenty-two years of service would have
 41 completed twenty-five years or more of creditable
 42 service if he or she the beneficiary had remained
 43 in active service, be engaged in a gainful occupation
 44 paying more than the difference between the member's
 45 retirement allowance and the current earnable
 46 compensation of an active member at the same position
 47 on the salary scale within the member's rank as the
 48 member held at retirement, then the amount of the
 49 retirement allowance shall be reduced to an amount
 50 which together with the amount earned by the member

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1 shall equal the amount of the current earnable
 2 compensation of an active member at the same position
 3 on the salary scale within the member's rank as the
 4 member held at retirement. Should the member's earning
 5 capacity be later changed change, the amount of the
 6 retirement allowance may be further modified, ~~provided,~~
 7 ~~that~~ but the new retirement allowance shall not exceed
 8 the amount of the retirement allowance originally
 9 granted adjusted by annual readjustments of pensions
 10 pursuant to subsection 15 of this section nor an
 11 amount which, when added to the amount earned by the
 12 beneficiary, equals the amount of the current earnable
 13 compensation of an active member at the same position

14 on the salary scale within the member's rank as the
15 member held at retirement. A beneficiary restored
16 to active service at a salary less than the average
17 final compensation upon the basis of which the member
18 was retired at age fifty-five or greater after having
19 completed twenty-five years or more of creditable
20 service, shall not again become a member of the
21 retirement system and shall have his or her retirement
22 allowance suspended while in active service. If the
23 rank or position held by the retired member is
24 subsequently abolished, adjustments to the allowable
25 limit on the amount of income which can be earned
26 in a gainful occupation shall be computed in the same
27 manner as provided in subsection 15, paragraph "d,"
28 of this section for readjustment of pension's when
29 a rank or position has been abolished.

30 A beneficiary retired under the provisions of this
31 paragraph in order to be eligible for continued receipt
32 of retirement benefits shall no later than May 15
33 of each year submit to the board of trustees a copy
34 of his or her the beneficiary's state income tax
35 return for the preceding year.

36 Retroactive to July 1, 1976, the limitations on
37 pay of a member engaged in a gainful occupation who
38 is retired under accidental disability prescribed
39 in this paragraph shall not apply to a member who
40 retired before July 1, 1976.

41 b. Should a disability beneficiary under age
42 fifty-five who has not completed twenty-five years
43 or more of creditable service be restored to active
44 service at a compensation not less than his the
45 beneficiary's average final compensation, his the
46 beneficiary's retirement allowance shall cease, he
47 the beneficiary shall again become a member and he
48 shall contribute thereafter at the same rate he the
49 beneficiary paid prior to disability, and any former
50 service on the basis of which his the beneficiary's

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1 service was computed at the time of his retirement
2 shall be restored to full force and effect and upon
3 his the beneficiary's subsequent retirement he the
4 beneficiary shall be credited with all his the
5 beneficiary's service as a member, and also with the
6 period of disability retirement, provided that during
7 such the period of disability he the beneficiary has
8 not engaged in a gainful occupation from which his
9 the beneficiary's net earnings exceeded the difference
10 between his the beneficiary's disability retirement
11 allowance and the amount he the beneficiary would

12 have received for said the period if his the
 13 beneficiary's compensation at the time of disability
 14 had continued."

15 2. Page 2, by striking lines 5 through 11 and
 16 inserting in lieu thereof the following section:

17 "d. A retired member who became eligible for
 18 benefits under the provisions of subsection 1 but
 19 who did not serve ~~twenty-two years and did not attain~~
 20 the age of fifty-five twenty-five years prior to the
 21 member's termination of employment shall not be
 22 eligible for the annual readjustment of pensions
 23 provided for by this subsection."

24 3. Page 8, by inserting after line 12 the following
 25 section:

26 "Sec. . Section four hundred eleven point six
 27 (411.6), subsections one (1) and four (4), Code 1979,
 28 are amended to read as follows:

29 1. SERVICE RETIREMENT BENEFIT. Retirement of
 30 a member on a service retirement allowance shall be
 31 made by each board of trustees as follows:

32 a. Any A member in service may retire upon his
 33 the member's written application to the board of
 34 police or fire trustees as ~~the case may be~~ applicable,
 35 setting forth at what time, not less than thirty nor
 36 more than ninety days subsequent to the execution
 37 and filing therefor, he the member desires to be
 38 retired, provided, that the said member at the time
 39 ~~so specified for his the member's retirement shall~~
 40 have attained the age of fifty-five and shall have
 41 has served twenty-two twenty-five years or more in
 42 said the department, and notwithstanding that, during
 43 such the period of notification, he the member may
 44 have separated from the service.

45 b. Any A member in service who has attained the
 46 age of sixty-five years, shall be retired ~~forthwith~~,
 47 provided, that upon the request of the superintendent
 48 of public safety, the respective board of trustees
 49 may permit such the member to remain in service for
 50 periods not to exceed one year from the date of the

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1 last request from the superintendent of public safety.
 2 Provided further that no member of said the departments
 3 employed on July 4, 1965, shall be so retired until
 4 he the member has completed twenty-two years' service
 5 for service retirement and will receive his or her
 6 pension benefits. However, a member of one of the
 7 departments employed on January 1, 1980 shall not
 8 be retired until the member has completed twenty-
 9 five years of service for service retirement and will
 10 receive the member's pension benefits.

11 c. Any A member in service who has been a member
12 of the retirement system fifteen or more years and
13 whose employment is terminated prior to the member's
14 retirement, other than by death or disability, shall
15 upon attaining retirement the age ~~at~~ which the member
16 would have completed twenty-five years of service,
17 receive a service retirement allowance of fifteen
18 ~~twenty seconds~~ twenty-fifths of the retirement
19 allowance the member would receive at retirement if
20 his or her employment had not been terminated, and
21 an additional one ~~twenty-second~~ twenty-fifth of such
22 the retirement allowance for each additional year
23 of service not exceeding ~~twenty-two~~ twenty-five years
24 of service. The amount of the retirement allowance
25 shall be based on the average final compensation at
26 the time of termination of employment.

27 4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.

28 Upon retirement for ordinary disability a member shall
29 receive a service retirement allowance if the member
30 has attained the age of ~~fifty-five~~ served twenty-
31 five years or more in the department, otherwise the
32 member shall receive an ordinary disability retirement
33 allowance which shall consist of a pension which shall
34 equal forty percent of the member's average final
35 compensation except if the member has not had five
36 or more years of membership service the member shall
37 receive a pension equal to one-fourth of the member's
38 average final compensation.

39 Sec. Section four hundred eleven point six
40 (411.6), subsection seven (7), Code 1979, is amended
41 to read as follows:

42 7. RE-EXAMINATION OF BENEFICIARIES RETIRED ON
43 ACCOUNT OF DISABILITY. Once each year during the
44 first five years following the retirement of a member
45 on a disability retirement allowance, and once in
46 every three-year period thereafter, the respective
47 board of trustees may, and upon his the member's
48 application shall, require ~~any~~ a disability beneficiary
49 who has not yet attained age ~~fifty-five~~ served twenty-
50 five years or more in the department to undergo a

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1 medical examination at a place designated by the
2 medical board. ~~Such~~ The examination shall be made
3 by the medical board or in special cases, by an
4 additional physician or physicians designated by ~~such~~
5 the board. Should ~~any~~ a disability beneficiary who
6 has not attained the age of ~~fifty-five~~ served twenty-
7 five years or more in the department refuse to submit
8 to ~~such~~ the medical examination, ~~his~~ the beneficiary's

9 allowance may be discontinued until his the
10 beneficiary's withdrawal of such the refusal, and
11 should his the beneficiary's refusal continue for
12 one year all rights in and to his the beneficiary's
13 pension may be revoked by the respective board of
14 trustees.

15 a. Should ~~any~~ a beneficiary for either ordinary
16 or accidental disability, except a beneficiary who
17 is ~~fifty-five years of age or over~~ and would have
18 completed ~~twenty-two~~ twenty-five years of service
19 if he or she had remained in active service, be engaged
20 in a gainful occupation paying more than the difference
21 between the member's retirement allowance and the
22 earnable compensation of an active member at the same
23 position on the salary scale within the member's rank
24 as the member held at retirement, then the amount
25 of the member's retirement allowance shall be reduced
26 to an amount which together with the amount earned
27 by the member shall equal the amount of the current
28 earnable compensation of an active member at the same
29 position on the salary scale within the member's rank
30 as the member held at retirement. Should the member's
31 earning capacity be later changed, the amount of the
32 member's retirement allowance may be further modified,
33 provided, that the new retirement allowance shall
34 not exceed the amount of the retirement allowance
35 adjusted by annual readjustments of pensions pursuant
36 to subsection 12 of this section nor an amount which,
37 when added to the amount earned by the beneficiary,
38 equals the amount of the earnable compensation of
39 an active member at the same position on the salary
40 scale within the member's rank as the member held
41 at retirement. A beneficiary restored to active
42 service at a salary less than the average final
43 compensation upon the basis of which the member was
44 retired ~~at age fifty-five or greater~~ after having
45 served twenty-five years or more in the department,
46 shall not again become a member of the retirement
47 system and shall have his or her retirement allowance
48 suspended while in active service. If the rank or
49 position held by the retired member is subsequently
50 abolished, adjustments to the allowable limit on the

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1 amount of income which can be earned in a gainful
2 occupation shall be computed in the same manner as
3 provided in subsection 12, paragraph "c," of this
4 section for readjustment of pensions when a rank or
5 position has been abolished.

6 A beneficiary retired under the provisions of this

7 paragraph in order to be eligible for continued receipt
8 of retirement benefits shall no later than May 15
9 fifteenth of each year submit to the board of trustees
10 a copy of his or her state income tax return for the
11 preceding year.

12 Retroactive to July 1, 1976, the limitations on
13 pay of a member engaged in a gainful occupation who
14 is retired under accidental disability prescribed
15 in this paragraph shall not apply to a member who
16 retired before July 1, 1976.

17 b. Should a disability beneficiary under age
18 fifty-five who has not served twenty-five years or
19 more in the department be restored to active service
20 at a compensation not less than his the beneficiary's
21 average final compensation, his the beneficiary's
22 retirement allowance shall cease, he the beneficiary
23 shall again become a member and he the beneficiary
24 shall contribute thereafter at the same rate he the
25 beneficiary paid prior to disability, and any former
26 service on the basis of which his the beneficiary's
27 service was computed at the time of his the
28 beneficiary's retirement shall be restored to full
29 force and effect and upon his the beneficiary's
30 subsequent retirement he the beneficiary shall be
31 credited with all his the beneficiary's service as
32 a member and also with the period of disability
33 retirement, provided that during such the period of
34 disability he the beneficiary has not engaged in a
35 gainful occupation from which his the beneficiary's
36 net earnings exceeded the difference between his the
37 beneficiary's disability retirement allowance and
38 the amount he the beneficiary would have received
39 for said the period if his the beneficiary's
40 compensation at the time of disability had continued."

41 4. Page 9, by striking lines 14 through 20 and
42 inserting in lieu thereof the following:

43 "d. A retired member who became eligible for
44 benefits under the provisions of subsection 1 of this
45 section but who did not serve twenty-two twenty-five
46 years and did not attain the age of fifty-five years
47 prior to his the retired member's termination of
48 employment shall not be eligible for the annual
49 readjustment of pensions provided for by this
50 subsection."

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1 5. By numbering and renumbering sections as
2 necessary.

Roll call was requested by Connors of Polk and Hinkhouse of Cedar.

Rule 80 was invoked.

On the question "Shall amendment H—4381 be adopted?"

The ayes were, 34:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Halvorson, R.N.	Horn	Howell	Jay
Jochum	Lloyd-Jones	Norland	O'Kane
Oxley	Patchett	Pavich	Rapp
Sherzan	Tyrrell	Walter	Wells
Welsh	Woods		

The nays were, 63:

Anderson, J.	Anderson, R.	Bennett	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Groth	Hall	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Millen	Miller	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Van Maanen
Welden	West	Mr. Speaker (Harbor)	

Absent or not voting, 3:

Hullinger	Jesse	Mullins
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Amendment H—4381 lost.

Speaker Millen in the chair at 3:01 p.m.

Crawford of Story offered the following amendment H-4386 filed by him and Brandt of Black Hawk from the floor and moved its adoption:

H-4386

- 1 Amend Senate File 489, as passed and reprinted by
- 2 the Senate, as follows:
- 3 1. Page 2, by striking lines 28 through 31 and
- 4 inserting in lieu thereof the words "shall be paid
- 5 out of the expense fund. However,".

Amendment H-4386 was adopted.

Halvorson of Clayton called up for consideration the motion to reconsider amendment H-4349 filed by him from the floor and moved to reconsider the vote by which amendment H-4349 was adopted by the House on May 10, 1979.

Roll call was requested by Chiodo of Polk and Horn of Linn.

Rule 80 was invoked.

On the question "Shall the motion to reconsider amendment H-4349 prevail?"

The ayes were, 54:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hoffmann	Holt	Hummel
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Lind	Lorenzen
Lura	Maulsby	Menke	Pellett
Pelton	Perkins	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

The nays were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack

Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Larsen
Lloyd-Jones	Lonerган	McKean	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 2:

Mullins Stromer

The motion prevailed and the House reconsidered amendment H—4349.

Larsen of Wapello moved the adoption of amendment H—4349.

Roll call was requested by Horn of Linn and Woods of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—4349 be adopted?"

The ayes were, 49:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Daggett	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Hullinger	Jay
Jesse	Jochum	Johnson, J.	Kirkenslager
Larsen	Lloyd-Jones	Lonerган	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Ritsema
Sherzan	Shull	Smalley	Spear
Ván Maanen	Walter	Wells	Welsh
Woods			

The nays were, 49:

Anderson, J.	Bennett	Brandt	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.

Hansen, I.	Hanson, D.	Harbor	Hibbs
Hoffmann	Holt	Hummel	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Pellett	Pelton
Poffenberger	Pope	Schnekloth	Schroeder
Shimanek	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Welden	West
Mr. Speaker			

Absent or not voting, 2:

Hinkhouse Husak

Amendment H-4349 lost placing the following amendments back in order: H-4197, H-4378, H-4341, H-4343, H-4365 and H-4368.

Gettings of Wapello offered the following amendment H-4197 filed by Gettings, et al. :

H-4197

- 1 Amend Senate File 489 as follows:
- 2 1. Page 4, line 32, by striking the word "For"
- 3 and inserting in lieu thereof the words and figures
- 4 "~~For~~ Effective July 1, 1979, for".
- 5 2. Page 4, line 32, by striking the word and
- 6 figure "January 1," and inserting in lieu thereof
- 7 the word and figure "January 1,".
- 8 3. Page 4, by striking line 33 and inserting in
- 9 lieu thereof the words and figures "1976 and June
- 10 30, 1978 1979, with four".
- 11 4. Page 5, line 15, by inserting after the word
- 12 "chapter," the words and figures "effective July 1,
- 13 1979,".
- 14 5. Page 5, by striking line 18 and inserting in
- 15 lieu thereof the words and figures "between January
- 16 1, 1976, and June 30, 1978".
- 17 6. Page 5, line 19, by striking the figure "30,".

Chiodo of Polk offered the following amendment H—4378, to amendment H—4197, filed by him from the floor and moved its adoption:

H—4378

1 Amend H—4197, filed by Gettings of Wapello et al,
 2 to Senate File 489, as passed and reprinted by the
 3 Senate, as follows:
 4 1. Page 1, by inserting after line 17 the follow-
 5 ing:
 6 " . Page 6, by inserting after line 32 the
 7 following section:
 8 "Sec. . Section ninety-seven B point forty-
 9 nine (97B.49), Code 1979, is amended by adding the
 10 following new subsection:
 11 NEW SUBSECTION. There is appropriated from the
 12 general fund of the state to the Iowa public employees'
 13 retirement system fund, the sum of eleven million
 14 (11,000,000) dollars, or as much thereof as is
 15 necessary, to pay the costs of the increases in the
 16 monthly retirement allowances provided because of
 17 the increase from forty percent to forty-four percent
 18 of the five-year average covered wage for members
 19 retiring under subsections five (5) and seven (7)
 20 of this section between January 1, 1976 and June 30,
 21 1978.

Roll call was requested by Chiodo of Polk and Horn of Linn.

On the question "Shall amendment H—4378 be adopted?"

The ayes were, 38:

Anderson, R.	Arnould	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Horn
Howell	Hullinger	Jay	Jochum
Lloyd-Jones	Loneragan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 51:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Conlon	Corey	Crabb	Crawford

Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lorenzen	Lura	Maulsby
McKean	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schnekloth	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	West	Mr. Speaker	

Absent or not voting, 11:

Avenson	Clark, J.H.	Daggett	Hinkhouse
Jesse	Larsen	Menke	Mullins
Perkins	Rapp	Schroeder	

Amendment H—4378 lost.

Gettings of Wapello moved the adoption of amendment H—4197.

Roll call was requested by Horn of Linn and Binneboese of Plymouth.

Rule 80 was invoked.

On the question "Shall amendment H—4197 be adopted?"

The ayes were, 41:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Dieleman	Doyle	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Jay
Jochum	Larsen	Lloyd-Jones	Lonergan
Norland	O'Kane	Oxley	Patchett
Pavich	Rapp	Sherzan	Spear
Swearingen	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Brandt	Branstad
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Danker	De Groot	Diemer

Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hoffmann
Holt	Hummel	Husak	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Schroeder	Shimanek
Shull	Smalley	Stromer	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 5:

Clark, B.J.	Daggett	Jesse	Lind
Perkins			

Amendment H—4197 lost.

Welden of Hardin asked and received unanimous consent to withdraw amendment H—4341 (to page 5) filed by him on May 8, 1979.

Brandt of Black Hawk offered the following amendment H—4343 filed by her and moved its adoption:

H—4343

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 5, line 5, by striking the word "forty-
- 4 six" and inserting in lieu thereof the word "forty-
- 5 eight".
- 6 2. Page 5, line 30, by striking the word "forty-
- 7 six" and inserting in lieu thereof the word "forty-
- 8 eight".
- 9 3. Page 6, line 25, by striking the word "forty-
- 10 six" and inserting in lieu thereof the word "forty-
- 11 eight".

Roll call was requested by Brandt of Black Hawk and Bina of Scott.

On the question "Shall amendment H—4343 be adopted?"

The ayes were, 43:

Anderson, R.	Arnould	Avenson	Bina
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Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Kirkenslager	Larsen	Lloyd-Jones	Lonergan
Miller	O'Kane	Oxley	Pavich
Rapp	Sherzan	Spear	Walter
Wells	Welsh	Woods	

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Krewson	Lageschulte	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Norland	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, 3:

Halvorson, R.A.	Patchett	Perkins
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Amendment H—4343 lost.

Byerly of Polk offered the following amendment H—4365 filed by Byerly, et al., and moved its adoption:

H—4365

- 1 Amend Senate File 489, as passed and reprinted
- 2 by the Senate, as follows:
- 3 1. Page 5, line 8, by striking the word "number,"
- 4 and inserting in lieu thereof the word "number;"
- 5 2. Page 5, line 9, by striking the words "not
- 6 to exceed one," and inserting in lieu thereof the
- 7 words "~~not to exceed one~~."

Roll call was requested by Woods of Polk and Horn of Linn.

On the question "Shall amendment H—4365 be adopted?"

The ayes were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Rapp	Sherzan
Walter	Wells	Weish	Woods

The nays were, 51:

Bennett	Branstad	Clark, B.J.	Clark, J.H.
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Hibbs	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lonergan	Lorenzen	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schneklath	Shimanek	Shull	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Mr. Speaker	

Absent or not voting, 9:

Anderson, J.	Harbor	Hinkhouse	Lura
Perkins	Schroeder	Smalley	Welden
West			

Amendment H—4365 lost.

Byerly of Polk asked and received unanimous consent to withdraw amendment H—4368 (to page 5) filed by him on May 9, 1979.

Hansen 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?" (S.F. 489)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Cannolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Welden	Wells
Welsh	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Danker	Harbor	Lura	Schroeder
West			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(Senate File 489)

Hansen of O'Brien asked and received unanimous consent to immediately message Senate File 489 to the Senate.

CONFERENCE COMMITTEE APPOINTED
(Senate File 388)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 388: Evans of Grundy, Chair; Krewson of Polk, Larsen of Wapello, Perkins of Greene and Howell of Floyd.

INTRODUCTION OF BILL

House File 763, by Halvorson of Clayton and Avenson, a bill for an act to legalize proceedings taken by the city of Calmar relating to the letting of certain contracts.

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 members of the conference committee on the part of the Senate, appointed May 10, 1979, for Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers, are: The Senator from Dubuque, Senator Bisenius, Chair; the Senator from Muscatine, Senator Drake; the Senator from Scott, Senator Holden; the Senator from Dallas, Senator Rodgers; and the Senator from Pocahontas, Senator Scott.

FRANK J. STORK, Secretary

IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House File 658 and Senate File 159.

SENATE AMENDMENT CONSIDERED

Schroeder of Pottawattamie called up for consideration **House File 658**, a bill for an act to authorize real property loans secured by alternative mortgage instruments, amended by the Senate amendment H-4062, received from the Senate on April 23 and found on pages 1724 and 1725 of the House Journal.

Chiodo of Polk offered the following amendment H-4389, to the Senate amendment H-4062, filed by Chiodo, Schroeder and Evans from the floor and moved its adoption:

H-4389

- 1 Amend amendment H-4062 to House File 658 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 2, by inserting after line 3 the
- 4 following:
- 5 " Page 11, by striking lines 7 and 8 and
- 6 inserting in lieu thereof the following:

7 "Sec. 16. Acts of the Sixty-seventh General
8 Assembly, 1978 Session, chapter one thousand one
9 hundred ninety (1190), section twelve (12), sub-
10 section two (2), paragraph c, as amended effective
11 July 1, 1979, by Senate File 158, 1979 Session,
12 section twenty-two (22), is further amended effective
13 July 1, 1979, to read as follows:

14 c. If the purpose of the loan is to enable the
15 borrower to purchase a single-family or two-family
16 dwelling — for his or her residence, the any provision
17 of a loan agreement shall not contain any provision
18 which prohibits the borrower from transferring his or
19 her interest in the property to a third party for use
20 by the third party as his or her residence, and shall
21 not contain or any provision which requires or permits
22 the lender to make a change in the interest rate, the
23 repayment schedule or the term of the loan as a result
24 of a transfer by the borrower of his or her interest
25 in the property to a third party for use by the third
26 party as his or her residence shall not be enforceable
27 except as provided in the following sentence. If the
28 lender on reasonable grounds believes that its security
29 interest or the likelihood of repayment is impaired,
30 based solely on criteria which is not more restrictive
31 than that used to evaluate a new mortgage loan appli-
32 cation, the lender may accelerate the loan, or to
33 offset any such impairment, may adjust the interest
34 rate, the repayment schedule or the term of the loan.
35 A provision of a loan agreement which violates this
36 paragraph is void.

Amendment H — 4389 was adopted.

On motion by Schroeder of Pottawattamie, the House concurred in the Senate amendment H — 4062, as amended.

Schroeder of Pottawattamie 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 658)

The ayes were, 98:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon

Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lloyd-Jones
Loneragan	Lorezen	Lura	Maulsby
McKean	Menke	Miller	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Well's	Welsh
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Welden

West

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.*

IMMEDIATE MESSAGE (House File 658)

Schroeder of Pottawattamie asked and received unanimous consent to immediately message House File 658 to the Senate.

Unfinished Business Calendar

Senate File 159, a bill for an act making statutory changes which affect the duties, responsibilities and procedures of county treasurers with regard to tax sales, collection of taxes and fees, tax levies, maintenance of records and disposition of county funds, with report of committee recommending passage was taken up for consideration.

Hanson of Delaware 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. 159)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Lonergan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Mullins
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Avenson	Brandt	Howell	Lind
Norland	Smalley	Thompson	Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE
(House File 148)**

Tyrrell of Iowa called up for consideration the report of the conference committee on House File 148, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties,

filed May 10 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 148**

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 House of Representatives on House File 148, as amended, passed and reprinted by the House, a bill for an act relating to the ownership of land by nonresident aliens and providing penalties, respectfully make the following report:

1. That the House recede from its amendment, S-3677 to the Senate amendment, H-3990.

2. That the Senate recede from its amendment H-3990.

3. That House File 148, as amended, passed and reprinted by the House, be amended as follows:

1. Page 2, line 22, by striking the word "or" and inserting in lieu thereof the words "acquired by devise or descent nor shall it apply to".

2. Page 2, line 26, by striking the words "by devise or descent or acquired".

3. Page 2, line 32, by inserting after the word "state" the words "except by devise or descent from a nonresident alien".

4. Page 3, line 26, by inserting after the word "interest." the words "This section shall not require divestment of agricultural land or an interest in agricultural land, acquired by devise or descent from a nonresident alien, if such land or an interest in such land was acquired by any nonresident alien prior to July 1, 1979."

5. Page 3, line 29, by inserting after the word "state" the words "except by devise or descent,".

ON THE PART OF THE HOUSE:

PHILLIP E. TYRRELL, Chair
DALE M. COCHRAN
HORACE DAGGETT
CARROLL PERKINS
HAROLD VAN MAANEN

ON THE PART OF THE SENATE:

DALE L. TIEDEN, Chair
ELIZABETH R. MILLER
JACK W. HESTER
BERL E. PRIEBE

The motion prevailed and the conference committee report was adopted.

Tyrrell of Iowa 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. 148)

The ayes were, 95:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schnekloth	Sherzan	Shimanek
Shull	Smalley	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Walter	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Howell	Lura	Maulsby	Schroeder
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE
(House File 148)

Tyrrell of Iowa asked and received unanimous consent to immediately message House File 148 to the Senate.

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of **House File 761**, a bill for an act increasing the individual exemptions allowed under section four hundred fifty point nine (450.9) of the Code for a surviving spouse, son, daughter, father, mother and other lineal descendant in computing the state inheritance tax.

De Groot of Lyon offered the following amendment H—4382 filed by De Groot, Branstad, Bennett, Pope and Mullins from the floor and moved its adoption:

H—4382

- 1 Amend House File 761 as follows:
- 2 1. Page 1, by inserting before line 1 the following
- 3 new section:
- 4 "Section . Section four hundred fifty point four
- 5 (450.4), subsection one (1), Code 1979, is amended to
- 6 read as follows:
- 7 1. When the entire estate of the decedent does not
- 8 exceed the sum of ~~one~~ ten thousand dollars after deducting
- 9 the debts, as defined in this chapter."

Amendment H—4382 was adopted.

De Groot of Lyon offered amendment H—4391 filed by him from the floor and requested division as follows:

H—4391

- 1 Amend House File 761 as follows:

H—4391A

- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section four hundred fifty point four
- 5 (450.4), subsection one (1), Code 1979, is amended
- 6 to read as follows:
- 7 1. When the entire estate of the decedent does
- 8 not exceed the sum of ~~one~~ ten thousand dollars after
- 9 deducting the debts, as defined in this chapter."

H—4391B

- 10 2. Amend the title, line 1, by inserting after
- 11 the word "Act" the words "relating to the state
- 12 inheritance tax by increasing the amount of the estate
- 13 under which no tax is owed and".

H—4391A

14 3. By renumbering as required by this amendment.

De Groot of Lyon asked and received unanimous consent to withdraw amendment H—4391A.

On motion by De Groot of Lyon, amendment H—4391B was adopted.

Tyrrell of Iowa offered the following amendment H—4383 filed by him from the floor and moved its adoption:

H—4383

- 1 Amend House File 761 as follows:
- 2 1. Page 1, line 10, by striking the words "or
- 3 illegitimate sons and daughters" and inserting in
- 4 lieu thereof the following: "or ~~illegitimate~~ sons
- 5 and daughters born out of wedlock".

Amendment H—4383 was adopted.

Pope of Polk offered the following amendment H—4384 filed by Pope, De Groot, Branstad, Bennett and Mullins from the floor and moved its adoption:

H—4384

- 1 Amend House File 761 as follows:
- 2 1. Page 1, line 11, by striking the word "fifty"
- 3 and inserting in lieu thereof the word "sixty".

Amendment H—4384 was adopted.

Pelton of Clinton offered amendment H—4390 filed by him from the floor.

Husak of Tama rose on a point of order that amendment H—4390 was not germane.

The Speaker ruled the point not well taken and amendment H—4390 germane.

Pelton of Clinton asked and received unanimous consent to withdraw amendment H—4390.

Pope 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. 761)

The ayes were, 97:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonergan	Lorenzen	Lura
Maulsby	McKean	Menke	Miller
Mullins	Norland	O'Kane	Oxley
Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Clark, J.H.	Connors	Hummel
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE (House File 761)

Pope of Polk asked and received unanimous consent to immediately message House File 761 to the Senate.

**ADOPTION OF THE REPORT
OF THE CONFERENCE COMMITTEE
(House File 679)**

Hoffmann of Muscatine called up for consideration the report of the conference committee on House File 679 filed May 10, 1979 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 679**

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 679, a bill for an act establishing a committee to review the regulation of occupations, respectfully make the following report:

1. That the House recede from its amendment S—3674 to the Senate amendment H—3810 to House File 679 as amended, passed and reprinted by the House.

2. That the Senate amendment H—3810 to House File 679 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, line 36, by inserting after the word "expenses" the words "from funds appropriated by section two point twelve (2.12) of the Code".

2. Page 1, by striking line 39 through page 2, line 7, and inserting in lieu thereof the following:

"3. Page 2, by striking lines 8 through 19 and inserting in lieu thereof the following:

"1. The commission on professional and occupational regulation shall evaluate those professions and occupations seeking to become regulated and may evaluate those professions and occupations which are regulated according to the criteria listed in section one (1) of this act. The general assembly may, by concurrent resolution, direct that the commission undertake or not undertake an evaluation of a profession or occupation. Upon completion of an evaluation, the commission shall make a recommendation to the general assembly whether the profession or occupation should become or continue to be regulated by the state and the degree of regulation that should be imposed. If the commission recommends a continuation or imposition of regulation, the commission shall recommend whether continuing education should be required. The commission shall file an annual report of its evaluations and recommendations with the chief clerk of the house of representatives and the secretary of the senate upon the convening of each session of the general assembly." "

3. Page 2, by inserting after line 36 the following:

" . Amend the title, line 1, by striking the word "committee" and inserting in lieu thereof the word "commission"."

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

BETTY A. HOFFMANN, CHAIR
REID CRAWFORD
ROD HALVORSON
INGWER HANSEN

EDGAR HOLDEN, CHAIR
TOM SLATER
LOWELL JUNKINS
FORREST V. SCHWENGELS
JOHN N. NYSTROM

The motion prevailed and the conference committee report was adopted.

Hoffmann 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. 679)

The ayes were, 89:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	Davitt	De Groot
Dieleman	Diemer	Dqyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hinkhouse	Hoffmann	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Oxley
Patchett	Pellett	Pelton	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Wells	Welsh	Woods
Mr. Speaker			

The nays were, 3:

Danker	Hibbs	Lonergan
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Absent or not voting, 8:

Connors	Halvorson, R.A.	Holt	Mullins
Pavich	Perkins	Welden	West

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT TO VOTE

Van Maanen of Mahaska asked and received unanimous consent to be recorded as voting "aye" on House File 679 and the vote was so recorded.

PROOF OF PUBLICATION

Published copy of House File 762 and verified proof of publication of said bill in the Record-Herald and Indianola Tribune a newspaper printed and published in Indianola, Warren County, Iowa on May 10, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House File 762

House File 762, a bill for an act to legalize proceedings taken by the city of Indianola relating to the letting of certain contracts, with report of committee recommending passage was taken up for consideration.

Hall 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. 762)

The ayes were, 90:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly

Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Norland	O'Kane	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 5:

Arnould	Cusack	Lloyd-Jones	Patchett
Sherzan			

Absent or not voting, 5:

Connors	Horn	Howell	Mullins
Smalley			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 762)

Hall of Linn asked and received unanimous consent that House File 762 be immediately messaged to the Senate.

RULE 2 SUSPENDED.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 2 to continue session beyond the 6:00 p.m. time limit.

On motion by Halvorson of Clayton the House was recessed at 5:06 p.m. until 6:00 p.m.

EVENING SESSION

The House reconvened, Speaker Millen in the chair.

OBJECTION TO REREFERRAL

Pelton of Clinton asked for unanimous consent to rerefer House File 747 to the committee on ways and means.

Objection was raised.

INTRODUCTION OF BILL

House File 764, by committee on appropriations, a bill for an act making appropriations for capital projects.

Read first time and placed on the **appropriations calendar**.

ADOPTION OF HOUSE RESOLUTION 42

Harbor of Mills asked and received unanimous consent for the immediate consideration of House Resolution 42 as follows and moved its adoption:

HOUSE RESOLUTION 42

By Anderson of Audubon, Anderson of Jasper, Arnould, Avenson, Bennett, Bina, Binneboese, Brandt, Branstad, Bruner, Byerly, Chiodo, Clark of Cerro Gordo, Clark of Lee, Cochran, Conloñ, Connolly, Connors, Corey, Crabb, Crawford, Cusack, Daggett, Danker, Davitt, De Groot, Dieleman, Diemer, Doyle, Egenes, Evans, Gettings, Groth, Hall, Halvorson of Webster, Halvorson of Clayton, Hansen of O'Brien, Hanson of Delaware, Harbor, Hibbs, Hinkhouse, Hoffmann, Holt, Horn, Howell, Hullinger, Hummel, Husak, Jay, Jesse, Jochum, Johnson of Howard, Johnson of Linn, Johnson of Woodbury, Kirkenlager, Krewson, Lageschulte, Larsen, Lind, Lloyd-Jones, Lonergan, Lorenzen, Lura, Maulsby, McKean, Menke, Millen, Miller, Mullins, Norland, O'Kane, Oxley, Patchett, Pavich, Pellett, Pelton, Perkins, Poffenberger, Pope, Rapp, Ritsema, Schneklath, Schroeder, Sherzan, Shimanek, Shull, Smalley, Spear, Stromer, Swearingen, Thompson, Tofte, Tyrrell, Van Maanen, Walter, Welden, Wells, Welsh, West and Woods

- 1 *Whereas*, Elizabeth J. O'Connor began working
- 2 in the Iowa House of Representatives in 1957 by
- 3 serving as the clerk to Representative R. B. Carson,
- 4 the majority leader during the Fifty-seventh
- 5 General Assembly; and
- 6 *Whereas*, Elizabeth J. O'Connor continued her
- 7 legislative employment by serving as the clerk to
- 8 Representative Floyd Edgington during the Fifty-

9 eighth, Fifty-ninth, Sixtieth, Sixty-first, and Sixty-
 10 second General Assemblies; as the Supervisor of Clerks
 11 during the Sixty-third, Sixty-fourth, and Sixty-fifth
 12 General Assemblies; as the Assistant to the Legal
 13 Counsel during the Sixty-sixth and Sixty-seventh
 14 General Assemblies; and as Assistant Legal Counsel
 15 during this Sixty-eighth General Assembly; and
 16 *Whereas, Elizabeth J. O'Connor has shown a deep*
 17 *love for the legislative process and complete*
 18 *dedication to perfection which has caused her to be*
 19 *held in high esteem by the members of the Sixty-eighth*
 20 *General Assembly and General Assemblies of prior years;*
 21 *and*
 22 *Whereas, Elizabeth J. O'Connor will be greatly*
 23 *missed upon her retirement as a friend, colleague and*
 24 *dedicated employee; Now Therefore,*
 25 *Be It Resolved by the House of Representatives,*
 26 *That the members of the Sixty-eighth General Assembly,*
 27 *1979 Session, extend their heartfelt appreciation and*
 28 *thanks for the many faithful years she has served and*
 29 *wish Elizabeth J. O'Connor many more years of happiness*
 30 *in retirement; and*

Page 2

1 *Be It Further Resolved, That Elizabeth J. O'Connor*
 2 *is hereby made an honorary member of the House of*
 3 *Representatives of the Sixty-eighth General Assembly;*
 4 *and*
 5 *Be It Further Resolved, That the Chief Clerk of*
 6 *the House is directed to present a copy of this*
 7 *Resolution and a certificate of honorary membership*
 8 *to Elizabeth J. O'Connor.*

The motion prevailed and the resolution was adopted unanimously.

SENATE AMENDMENT CONSIDERED

Stromer of Hancock called up for consideration **House File 660**, a bill for an act relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establishing the state percent of growth, eliminating restrictions on use of additional enrichment moneys, correcting dates, and striking obsolete sections, amended by the Senate amendment H-4312, received from the Senate on May 8 and found on pages 2126 through 2132 of the House Journal.

Patchett of Johnson offered the following amendment H—4327, to the Senate amendment H—4312, filed by him and moved its adoption:

H—4327

1 Amend the Senate amendment, H—4312, to House File
 2 660, as passed and reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "1. Page 1, by inserting before line 1 the
 6 following section:
 7 "Section 1. Section four hundred forty-two point
 8 three (442.3), Code 1979, is amended to read as
 9 follows:
 10 442.3 STATE FOUNDATION BASE. The state foundation
 11 base for the school year beginning July 1, 1972, is
 12 seventy percent of the state cost per pupil. For
 13 each succeeding school year the state foundation base
 14 shall be increased by the amount of one percent of
 15 the state cost per pupil, up to a maximum of eighty
 16 percent of the state cost per pupil, except that for
 17 the school years beginning July 1, 1980 and July 1,
 18 1981, the state foundation base shall be seventy-nine
 19 percent of the state cost per pupil and for the school
 20 year beginning July 1, 1982 and each succeeding school
 21 year, the state foundation base shall be eighty
 22 percent of the state cost per pupil. The district
 23 foundation base is the larger of the state foundation
 24 base or the amount per pupil which the district will
 25 receive from foundation property tax and state school
 26 foundation aid." "
 27 2. By renumbering sections of the amendment as
 28 necessary.

Roll call was requested by Patchett of Johnson and Bina of Scott.

Rule 80 was invoked.

On the question "Shall amendment H—4327, to the Senate amendment H—4312, be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Corey	Cusack	Davitt	Dieleman

Doyle	Gettings	Groth	Hall
Halvorson, R.N.	Hibbs	Hinkhouse	Horn
Howell	Hullinger	Husak	Jay
Jesse	Jochum	Lloyd-Jones	Lonerган
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lorenzen	Lura	Maulsby
McKean	Menke	Mullins	Pellett
Pelton	Poffenberger	Pope	Ritsema
Schnekloth	Schroeder	Shimaneck	Shull
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 2:

Smalley Tyrrell

Amendment H—4327 lost.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H—4321, to the Senate amendment H—4312, filed by Stromer et al., on May 8, 1979.

Stromer of Hancock offered amendment H—4392, to the Senate amendment H—4312, filed by Stromer, Welden and Thompson from the floor. Division was requested as follows:

H—4392

- 1 Amend the Senate amendment, H—4312, to House File
- 2 660, as passed and reprinted by the House, as follows:

H—4392A

- 3 1. Page 1, lines 15 and 16, by striking the word
- 4 "thirty-three" and inserting in lieu thereof the word
- 5 "Thirty-three".

- 6 2. Page 1, line 17, by striking the word "twenty-
7 five" and inserting in lieu thereof the word "Twenty-
8 five".
9 3. Page 1, lines 18 and 19, by striking the word
10 "sixty-six" and inserting in lieu thereof the word
11 "Sixty-six".
12 4. Page 1, line 20, by striking the word "seventy-
13 five" and inserting in lieu thereof the word "Seventy-
14 five".
15 5. Page 1, line 28, by inserting after the word
16 "percent" the words "for the budget year".

H-4392B

- 17 6. Page 2, by inserting after line 36 the
18 following:
19 "Sec. . Section four hundred forty-two point
20 seven (442.7), subsection three (3), Code 1979, is
21 amended to read as follows:
22 3. Each year prior to September ~~15~~ fifteenth the
23 state comptroller shall recompute the state percent
24 of growth for the previous year using adjusted
25 estimates and the actual figures available. The
26 difference between the recomputed state percent of
27 growth for the base year and the original computation
28 shall be added to or subtracted from the state percent
29 of growth for the budget year, as applicable. However,
30 for the budget school years beginning July 1, 1980,
31 July 1, 1981, and July 1, 1982 the state comptroller
32 shall recompute the state percent of growth for the
33 previous year using adjusted estimates and the actual
34 figures available based only upon the consumer price
35 index."
36 7. Page 4, line 11, by striking the word "adjusted"
37 and inserting in lieu thereof the word "budget".
38 8. Page 6, lines 44 and 45, by striking the words
39 "the state foundation base."
40 9. By numbering and renumbering sections as
41 necessary.

On motion by Stromer of Hancock, amendment H-4392A, to the Senate amendment H-4312, was adopted.

Stromer of Hancock moved the adoption of amendment H-4392B, to the Senate amendment H-4312.

Roll call was requested by Patchett of Johnson and Anderson of Jasper.

Rule 80 was invoked.

On the question "Shall amendment H—4392B, to the Senate amendment H—4312, be adopted?"

The ayes were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hoffmann	Holt
Hummel	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lorenzen	Lura	Maulsby	McKean
Menke	Mullins	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Johnson, J.	Lloyd-Jones	Lonergan
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Rapp
Sherzan	Spear	Walter	Wells
Welsh	Woods		

Absent or not voting, 1:

Harbor

Amendment H—4392B was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4331, to the Senate amendment H—4312, filed by him on May 8, 1979.

Horn of Linn offered the following amendment H—4329, to the Senate amendment H—4312, filed by him and Patchett of Johnson and moved its adoption:

H-4329

- 1 Amend the Senate amendment, H-4312, to House File
- 2 660, as passed and reprinted by the House, as follows:
- 3 1. Page 2, by striking lines 31 through 34 and
- 4 inserting in lieu thereof the following:
- 5 " Page 3, line 32, by striking the word "only"
- 6 and inserting in lieu thereof the word "only,".

Roll call was requested by Horn of Linn and Miller of Buchanan.

Rule 80 was invoked.

On the question "Shall amendment H-4329, to the Senate amendment H-4312, be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Loneragan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Schroeder
Sherzan	Spear	Walter	Wells
Welsh	Woods		

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellet	Pelton	Poffenberger	Pope
Ritsema	Schneklath	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Welden
West	Mr. Speaker		

Absent or not voting, none.

Amendment H—4329 lost.

Horn of Linn asked and received unanimous consent to withdraw amendments H—4330 and H—4332, to the Senate amendment H—4312, filed by him on May 8, 1979.

Patchett of Johnson offered the following amendment H—4328, to the Senate amendment H—4312, filed by Horn of Linn and him and moved its adoption:

H—4328

1 Amend the Senate amendment, H—4312, to House File
 2 660, as passed and reprinted by the House, as follows:
 3 1. Page 3, by inserting after line 36 the
 4 following: "Provided further, that for every even-
 5 numbered budget school year subsequent to the school
 6 year beginning July 1, 1983, the state cost per pupil
 7 for the budget year shall be computed by using the
 8 average state cost per pupil for the base year rather
 9 than the base year's state cost per pupil. The average
 10 state cost per pupil for the base year is equal to
 11 the amount allocated for all area education agency
 12 support costs in the state for the base year divided
 13 by the weighted enrollment in the state for the base
 14 year plus an amount for regular program costs per
 15 pupil. The regular program cost per pupil is equal
 16 to the sum of the district costs for all school
 17 districts in the state for the base year less the
 18 amount generated for all area education agency support
 19 services, media services, and educational services
 20 in the state for the base year, and less the amount
 21 generated for the base year from additional enrollment
 22 because of the special education weighting plan and
 23 the supplementary weighting plan, which sum less
 24 deductions shall be divided by the adjusted enrollment
 25 in all school districts used for the calculation of
 26 district budgets for the base year."

Roll call was requested by Patchett of Johnson and Horn of Linn.

Rule 80 was invoked.

On the question "Shall amendment H—4328, to the Senate amendment H—4312, be adopted?"

The ayes were, 45:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Doyle
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Jochum	Lloyd-Jones	Lonergan	Miller
Norland	O'Kane	Oxley	Patchett
Pavich	Perkins	Rapp	Sherzan
Spear	Walter	Wells	Welsh
Woods			

The nays were, 54:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Harbor	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorezen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Schroeder	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Mr. Speaker		

Absent or not voting, 1:

West

Amendment H—4328 lost.

Stromer of Hancock moved that the House concur in the Senate amendment H—4312, as amended.

A non-record roll call was requested.

The ayes were 54, nays 41.

The motion prevailed and the House concurred in the Senate amendment H—4312, as amended.

Stromer of Hancock 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 660)

The ayes were, 99:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Loneragan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Sherzan	Shimaneck	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 1:

Hibbs

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT TO VOTE

Perkins of Greene and Holt of Clay asked and received unanimous consent to be recorded as voting "aye" on House File 660 and the votes were so recorded.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 28

Daggett of Taylor asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 28 as follows and moved its adoption:

HOUSE CONCURRENT RESOLUTION 28
By House Administration Committee

1 *Whereas*, the complexity of the operation of the
2 general assembly has required an increase in the
3 flexibility of staffing; and
4 *Whereas*, Senate Concurrent Resolution 5 passed
5 by the House of Representatives and the Senate has
6 provided for flexibility; and
7 *Whereas*, the interpretation of the Resolution
8 has raised questions regarding uniformity of staffing
9 and salary in each of the houses; and
10 *Whereas*, the similarity of duties and proximity
11 of employees require a degree of uniformity; *Now*
12 *Therefore*,
13 *Be It Resolved By The House Of Representatives,*
14 *The Senate Concurring*, that the Administration
15 Committee of the House of Representatives and the
16 Rules and Administration Committee of the Senate
17 conduct a joint interim study of staffing policies
18 and ways of meeting the support needs of the general
19 assembly as effectively as possible.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE
(House Concurrent Resolution 28)

Daggett of Taylor asked and received unanimous consent that House Concurrent Resolution 28 be immediately messaged to the Senate.

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Files 650 and 764.

ADOPTION OF THE REPORT
OF THE CONFERENCE COMMITTEE
(House File 650)

Krewson of Polk called up for consideration the report of the conference committee on House File 650 filed May 10 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 650

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 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made, respectfully make the following report:

1. That the House recedes from its amendment, S-3709, to the Senate amendment, H-4148, to House File 650, as amended, passed, and reprinted by the House.

2. That the Senate recedes from its amendment, H-4148, to House File 650, as amended, passed, and reprinted by the House.

3. That House File 650, as amended, passed, and reprinted by the House, is amended as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. NEW SECTION. A city council, by ordinance, or a county board of supervisors as authorized by section two (2) of this Act, by resolution, may provide for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to section four hundred twenty-seven A point one (427A.1), subsection one (1), paragraph e, of the Code. New construction means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. New construction does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the city council of the city or the board of supervisors of a county upon the recommendation of the Iowa development commission. The exemption shall also apply to new machinery

and equipment assessed as real estate pursuant to section four hundred twenty-seven A point one (427A.1), subsection one (1), paragraph e, of the Code unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status.

The ordinance or resolution may be enacted not less than thirty days after holding a public hearing in accordance with section three hundred fifty-eight A point six (358A.6) of the Code in the case of a county, or section three hundred sixty-two point three (362.3) of the Code in the case of a city. The ordinance or resolution shall designate the length of time the partial exemption shall be available and may provide for an exemption schedule in lieu of that provided in section three (3) of this Act. However, an alternative exemption schedule adopted shall not provide for a larger tax exemption in a particular year than is provided for that year in the schedule contained in section three (3) of this Act.

Sec. 2. NEW SECTION.

1. The board of supervisors of a county which has appointed a county zoning commission and provided for county zoning under the provisions of chapter three hundred fifty-eight A (358A) of the Code may, by resolution, provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section one (1) of this Act.

2. The board of supervisors of a county which has not appointed a zoning commission may, by resolution, provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section one (1) of this Act in the following areas:

a. Outside the incorporated limits of a city to which a city has extended its zoning ordinance pursuant to section four hundred fourteen point twenty-three (414.23) of the Code which complies with the city's zoning ordinance.

b. Outside the incorporated limits of a city which has adopted a zoning ordinance but which has not extended the ordinance to the area permitted under section four hundred fourteen point twenty-three (414.23) of the Code if the property would be within the area to which a city may extend a zoning ordinance pursuant to section four hundred fourteen point twenty-three (414.23) of the Code.

c. Outside the incorporated limits of a city which has not adopted a zoning ordinance but which would be within the area to which a city may extend a zoning ordinance pursuant to section four hundred fourteen point twenty-three (414.23) of the Code.

3. The board of supervisors of a county which has not appointed a zoning commission may, by resolution, provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under section one (1) of this Act in an area where the partial exemption could not otherwise be granted under this Act where the actual value added is to industrial real estate existing on the effective date of this Act.

To grant an exemption under the provisions of this section, the county board of

supervisors shall comply with all of the requirements imposed by this Act upon the city council of a city.

Sec. 3. NEW SECTION. The actual value added to industrial real estate for the reasons specified in section one (1) of this Act is eligible to receive a partial exemption from taxation for a period of five years. "Actual value added" as used in this Act means the actual value added as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the assessor as of January first of each year for which the exemption is received. The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

- a. For the first year, seventy-five percent.
- b. For the second year, sixty percent.
- c. For the third year, forty-five percent.
- d. For the fourth year, thirty percent.
- e. For the fifth year, fifteen percent.

This schedule shall be followed unless an alternative schedule is adopted by the city council of a city or the board of supervisors of a county in accordance with section one (1) of this Act.

However, the granting of the exemption under this section for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the start of the new construction added.

Sec. 4. NEW SECTION. An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February first of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue.

A person may submit a proposal to the city council of the city or the board of supervisors of a county to receive prior approval for eligibility for a tax exemption on new construction. The city council, by ordinance, or the board of supervisors, by resolution, may give its prior approval of a tax exemption for new construction if the new construction is in conformance with the zoning plans for the city or county. The prior approval shall also be subject to the hearing requirements of section one (1) of this Act. Such prior approval shall not entitle the owner to exemption from taxation until the new construction has been completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person may submit an amended proposal to the city council or board of supervisors to approve or reject.

Sec. 5. NEW SECTION. When in the opinion of the city council or the county

board of supervisors continuation of the exemption granted by this Act ceases to be of benefit to the city or county, the city council or the county board of supervisors may repeal the ordinance authorized by section one (1) of this Act, but all existing exemptions shall continue until their expiration.

Sec. 6. NEW SECTION. A property tax exemption under this Act shall not be granted if the property for which the exemption is claimed has received any other property tax exemption authorized by law."

ON THE PART OF THE HOUSE:

JAMES C. WEST, Chair
HORACE DAGGETT
LYLE R. KREWSON
JAMES O'KANE
CARROLL PERKINS

ON THE PART OF THE SENATE:

JACK W. HESTER, Chair
ROLF V. CRAFT
RICHARD R. RAMSEY
NORMAN G. RODGERS
EARL M. WILLITS

The motion prevailed and the conference committee report was adopted.

Krewson 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. 650)

The ayes were, 81:

Anderson, J.	Anderson, R.	Avenson	Bennett
Bina	Binneboese	Brandt	Branstad
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Conlon	Corey	Crabb	Crawford
Daggett	Danker	De Groot	Dieleman
Diemer	Doyle	Egenes	Gettings
Hall	Halvorson, R.A.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Hummel	Husak
Johnson, J.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lind	Lonergan
Lorenzen	Lura	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	West	Woods
Mr. Speaker			

The nays were, 16:

Arnould	Bruner	Byerly	Connolly
Connors	Cusack	Davitt	Groth
Halvorson, R.N.	Howell	Hullinger	Jay
Jochum	Lloyd-Jones	Rapp	Sherzan

Absent or not voting, 3:

Evans	Jesse	Johnson, R.
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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 764, a bill for an act making appropriations for capital projects, was taken up for consideration.

Evans of Grundy offered the following amendment H—4394 filed by Evans, Howell, Rapp, Mullins, Miller, Perkins, Cusack and Poffenberger from the floor and moved its adoption:

H—4394

- 1 Amend House File 764 as follows:
- 2 1. Page 8, line 12, by inserting before the
- 3 word "For" the letter "a."
- 4 2. Page 8, by inserting after line 15 the
- 5 following:
- 6 "b. For a load management
- 7 experiment to determine the
- 8 effectiveness of this tech-
- 9 nique for reducing the peak loads
- 10 of an electric distribution
- 11 system.....\$30,000".

Amendment H—4394 was adopted.

Halvorson of Clayton moved the previous question on amendments, amendments to amendments and motions filed thereto on House File 764.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 54, nays 43.

The motion prevailed.

Pelton of Clinton offered the following amendment H-4395 filed by him and Walter of Pottawattamie from the floor and moved its adoption:

H-4395

- 1 Amend House File 764 as follows:
- 2 1. Page 11, by striking line 22 and inserting
- 3 in lieu thereof the following:
- 4 "mediate surrounding area.....\$ \$3,500,000"

Amendment H-4395 was adopted.

Corey of Louisa offered the following amendment H-4401 filed by him and Spear of Lee from the floor and moved its adoption:

H-4401

- 1 Amend House File 764 as follows;
- 2 1. Page 16, by striking line 7 and inserting
- 3 in lieu thereof the following:
- 4 "and museum area.....\$12,500

Amendment H-4401 was adopted.

The following amendment H-4405 filed by Tofte of Winneshiek from the floor was adopted by unanimous consent:

H-4405

- 1 Amend House File 764 as follows:
- 2 1. Page 8, line 20 by striking the words and
- 3 figure "section seven (7)" and inserting in lieu
- 4 thereof the words and figure "section six (6)".

Patchett of Johnson asked and received unanimous consent to withdraw amendment H-4397 filed by him from the floor.

Larsen of Wapello offered the following amendment H-4398 filed by Larsen, Hall, Shimanek, Hanson of Delaware, Krewson, Smalley, Patchett, Walter, Lloyd-Jones and Brandt from the floor and moved its adoption:

H-4398

- 1 Amend House File 764 as follows:
- 2 1. Page 8, by striking lines 23 through 25 and

3 inserting in lieu thereof the following: "acquire
 4 land to expand the state park at Lake Macbride. The
 5 state conservation commission may use not more than
 6 two hundred thousand dollars of the funds appropriated
 7 by section seven (7), subsection two (2), paragraph
 8 a of this Act to acquire railroad right-of-way between
 9 the cities of Waterloo and Cedar Rapids. The state
 10 conservation commission shall not develop a trail
 11 on the railroad right-of-way between the cities of
 12 Waterloo and Cedar Rapids until a plan is developed
 13 in cooperation with the state department of
 14 transportation, Iowa development commission and the
 15 Iowa state commerce commission which examines the
 16 potential of the corridor for transportation,
 17 agriculture, recreation, utility, and habitat needs
 18 of the state, the potential problems in fencing and
 19 weed control, and the potential costs and benefits
 20 to the state. The state conservation commission shall
 21 cease any".

Roll call was requested by Larsen of Wapello and Kirkenlager of Des Moines.

Rule 80 was invoked.

On the question "Shall amendment H—4398 be adopted?"

The ayes were, 35:

Anderson, R.	Arnould	Brandt	Bruner
Clark, B.J.	Conlon	Connolly	Crawford
Egenes	Hall	Halvorson, R.N.	Hanson, D.
Hibbs	Horn	Jesse	Jochum
Kirkenlager	Krewson	Larsen	Lloyd-Jones
Lorenzen	O'Kane	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Sherzan	Shimanek	Shull	Smalley
Spear	Walter	Wells	

The nays were, 55:

Anderson, J.	Avenson	Bennett	Bina
Binneboese	Branstad	Byerly	Chiodo
Clark, J.H.	Cochran	Corey	Crabb
Daggett	Danker	Davitt	De Groot
Dieleman	Diemer	Doyle	Evans
Gettings	Groth	Halvorson, R.A.	Hansen, I.
Hinkhouse	Hoffmann	Hullinger	Hummel
Husak	Jay	Johnson, J.	Johnson, R.
Johnson, W.	Lageschulte	Lind	Lonergan

Maulsby	McKean	Menke	Miller
Oxley	Pellett	Pope	Ritsema
Schneklath	Schroeder	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Woods	Mr. Speaker	

Absent or not voting, 10:

Connors	Cusack	Harbor	Holt
Howell	Lura	Mullins	Norland
Welsh	West		

Amendment H—4398 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.

On the question "Shall the bill pass?" (H.F. 764)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connolly	Connors
Corey	Crabb	Crawford	Daggett
Danker	Davitt	De Groot	Dieleman
Diemer	Doyle	Egenes	Evans
Gettings	Groth	Hall	Halvorson, R.A.
Halvorson, R.N.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Lageschulte	Larsen	Lind	Lloyd-Jones
Lonergan	Lorenzen	Maulsby	McKean
Menke	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, 3:

Byerly	Krewson	Walter
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Absent or not voting, 3:

Chiodo

Cusack

Lura

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 on May 10, 1979, passed the following bill in which the concurrence of the House is asked:

Senate File 499, a bill for an act relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments and appropriating funds.

FRANK J. STORK, Secretary

SENATE MESSAGE CONSIDERED

Senate File 499, a bill for an act relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments, increasing mileage reimbursement rates for public officers and employees, making coordinating amendments to the Code, and appropriating funds.

Read first time and referred to committee on **appropriations**.

PROOF OF PUBLICATION

Published copy of House File 763 and verified proof of publication of said bill in The Calmar Courier, a weekly newspaper published in Calmar, Winneshiek County, Iowa, on May 10, 1979 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of **House File 763**, a bill for an act to legalize proceedings taken by the city of Calmar relating to the letting of certain contracts.

Hall 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. 763)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hibbs	Hinkhouse	Hoffmann	Holt
Horn	Howell	Hullinger	Hummel
Husak	Jay	Jesse	Jochum
Johnson, J.	Johnson, R.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Loneragan	Lorenzen	Lura	Maulsby
McKean	Menke	Miller	Müllins
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schneklath	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Walter	Welden
Wells	Welsh	Woods	Mr. Speaker

The nays were, 5:

Groth	Halvorson, R.N.	Lloyd-Jones	O'Kane
Sherzan			

Absent or not voting, 3:

Cusack	Norland	West
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Smalley of Polk in the chair at 10:10 p.m.

IMMEDIATE MESSAGE
(House File 763)

Hall of Linn asked and received unanimous consent that House File 763 be immediately messaged to the Senate.

**ADOPTION OF THE REPORT
OF THE CONFERENCE COMMITTEE
(House File 671)**

Pellett of Cass called up for consideration the report of the conference committee on House File 671 filed May 10 as follows and moved the adoption of the conference committee report and the amendments contained therein:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 671**

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 671, as amended, passed and reprinted by the House, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program, respectfully make the following report:

1. That the Senate recede from its amendment H-4051.
2. That House File 671, as amended, passed and reprinted by the House, be amended as follows:
 1. Page 1, line 2, by striking the word and figure "ten (10)" and inserting in lieu thereof the word and figure "seven (7)".
 2. Page 1, lines 3 and 4, by striking the words "entitled family farm guaranteed loan Act".
 3. Page 1, lines 5 and 6, by striking the words and figures "sections two (2) through ten (10) of this Act" and inserting in lieu thereof the words "this division";
 4. Page 1, line 11, by striking the words "family farm guaranteed loan" and inserting in lieu thereof the words "Bankhead-Jones fund".
 5. Page 1, by striking lines 16 through 25.
 6. Page 1, lines 28 and 29, by striking the words "family farm guaranteed loan" and inserting in lieu thereof the words "Bankhead-Jones fund".
 7. Page 1, line 31, by striking the word "department" and inserting in lieu thereof the word "secretary".
 8. Page 1, line 32, by striking the word "Act" and inserting in lieu thereof the word "division".
 9. Page 1, lines 34 and 35, by striking the words "by this Act" and inserting in lieu thereof the words "under this division".

10. Page 2, by striking lines 6 and 7 and inserting in lieu thereof the following: "for three-year terms beginning on July first as provided in subsection three (3) of this section. However, the". /

11. Page 2, line 15, by inserting after the period the words "Not more than five members shall belong to the same political party."

12. Page 2, by inserting after line 22 the following:

"3. The members of the committee shall be appointed by the secretary subject to approval by a legislative panel consisting of the chairperson and ranking minority party member of the senate committee on agriculture and the chairperson and ranking minority party member of the house committee on agriculture, acting jointly. The legislative panel shall meet initially each year at the call of the secretary, shall elect its chair and establish its procedures by majority vote. The secretary shall submit a slate of nominees eligible for each position on the committee under the requirements in subsection two (2) of this section. The legislative panel shall take action on the secretary's nominees by a majority vote of three members. The legislative panel may accept or reject any or all of the secretary's nominees and shall convey its decision to the secretary within thirty days of each submission. The secretary shall appoint those nominees approved by the panel and shall continue to submit eligible nominees until the entire membership of the committee has been appointed. In subsequent years or when a vacancy occurs before the expiration of a term the secretary shall submit a nominee for the position of each member whose term will expire on June thirtieth or a nominee to fill a vacancy which occurs before the expiration of a term and the legislative panel shall approve or disapprove the nominees and may require the submission of more eligible nominees until the vacancies are filled. The secretary shall appoint the approved nominees to fill vacancies. The members of the legislative panel are entitled to per diem and expenses as provided in section two point ten (2.10), subsection six (6) of the Code."

13. Page 2, line 23, by striking the figure "3" and inserting in lieu thereof the figure "4".

14. Page 2, lines 30, by striking the figure "4." and inserting in lieu thereof the following:

"5. The committee shall meet initially at the call of the secretary and elect a chairperson and vice chairperson. The secretary shall provide meeting space and staff assistance to the committee. Subsequent meetings shall be held at the call of the chairperson after consultation with the secretary. Regular meetings shall be held in Des Moines, Iowa."

15. Page 2, by inserting after line 31 the following:

"6. Not later than January 15, 1980, the committee shall file with the secretary of the senate and the chief clerk of the house of representatives a report of a complete and detailed program plan for the use of the funds available under this division. The general assembly may approve or disapprove the program plan by concurrent resolution, but if neither house of the general assembly has passed a concurrent resolution to disapprove the program plan by March 15, 1980, the program plan shall stand approved, become effective, and be implemented by the committee and the secretary. If

either house passes a resolution disapproving the program plan by March 15, 1980, the program plan shall not be implemented and the committee shall prepare an amended program plan for submission to the general assembly prior to its adjournment in 1980 if possible or not later than January 15, 1981. If an amended program plan is submitted more than fourteen days before final adjournment of the 1980 session, it shall stand approved unless at least one house disapproves it by resolution before final adjournment. If an amended plan is submitted during the last fourteen days of the 1980 session, it may be approved by concurrent resolution passed by both houses, and shall otherwise stand approved at the end of thirty days after the beginning of the 1981 session unless at least one house disapproves it before the expiration of that time. An amended program plan not submitted before final adjournment of the 1980 session shall be subject to approval or disapproval in 1981 in the same manner and according to comparable time periods as a plan submitted during the 1980 session. The procedures of this subsection shall be repeated until the program plan reported by the committee is approved. Funds available under this division shall not be disbursed for new programs until the program plan has been approved as provided in this subsection. However, the secretary may disburse funds as necessary for administrative expenses of the committee and for completing the administration of programs in process."

16. Page 2, line 32, by striking the figure and word "5. The" and inserting in lieu thereof the following: "7. After initial approval of a program plan the".

17. Page 3, line 5, by striking the figure and word "6. The" and inserting in lieu thereof the following: "8. After initial approval of a program plan the".

18. Page 3, lines 8 and 9, by striking the words "AGENCY. The committee and the department" and inserting in lieu thereof the words "APPLICATION. The secretary".

19. Page 3, line 16, by striking the word "committee" and inserting in lieu thereof the words "secretary, subject to the committee's approval,".

20. Page 3, line 20, by striking the words "committee and the department" and inserting in lieu thereof the word "secretary".

21. Page 3, line 26, by inserting after the period the following: "However, the agreements shall not conflict with the committee's program plan approved as provided in section three (3), subsection six (6) of this Act, or with other provisions of this division and sections eight (8), nine (9), and ten (10) of this Act."

22. Page 3, line 31, by striking the words "committee and department" and inserting in lieu thereof the word "secretary".

23. Page 3, lines 33 and 34, by striking the words "family farm guaranteed loan" and inserting in lieu thereof the words "Bankhead-Jones fund".

24. Page 3, line 34, by striking the word "committee" and inserting in lieu thereof the word "secretary".

25. Page 3, line 35, by striking the words and figure "section ten (10) of this Act"

and inserting in lieu thereof the words "the committee's approved program plan and for administrative expenses authorized under this division."

26. Page 4, by striking line 1.

27. Page 4, line 2, by striking the words "family farm guaranteed loan" and inserting in lieu thereof the words "Bankhead-Jones fund".

28. Page 4, lines 3 and 4, by striking the words "committee shall direct the secretary to" and inserting in lieu thereof the words "secretary shall".

29. Page 4, by striking lines 5 through 9 and inserting in lieu thereof the following: "available under this division. Moneys shall be disbursed out of the account only as provided in this division."

30. Page 4, line 10, by striking the words "family farm guaranteed loan" and inserting in lieu thereof the words "Bankhead-Jones fund".

31. Page 4, by striking lines 14 through 35.

32. Page 5, by striking lines 1 through 35.

33. Page 6, by striking lines 1 through 8.

34. Page 6, line 9, by striking the figure "8" and inserting in lieu thereof the figure "7".

35. Page 6, by striking lines 19 through 35.

36. Page 7, by striking lines 1 through 35.

37. Page 8, by striking line 1.

38. Page 8, line 2, by striking the figure "11" and inserting in lieu thereof the figure "8".

39. Page 8, line 6, by striking the words "committee and the department" and inserting in lieu thereof the words "secretary of agriculture of Iowa".

40. Page 8, line 7, by striking the words "committee and the department" and inserting in lieu thereof the words "secretary of agriculture of Iowa".

41. Page 8, by striking lines 12 through 19 and inserting in lieu thereof the following:

"Sec. 9. EXISTING POWERS. The secretary of agriculture of Iowa shall complete the administration of programs in progress on the effective date of this Act to the extent that funds were committed, obligations incurred or rights accrued prior to the effective date of this Act under the programs authorized under sections two hundred thirty-four point fifteen (234.15) through two hundred thirty-four point twenty (234.20) of the Code prior to the repeal of those sections by section eleven (11) of this

Act. Moneys received under this subsection shall be deposited in the Bankhead-Jones fund account established under section six (6) of this Act.

Sec. 10. PERFORMANCE AUDIT—SUSPENSION OF COMMITTEE ACTION.
Prior to June 30, 1982, the standing committees on agriculture of the senate and house of representatives shall review the performance of the Bankhead-Jones fund committee established under section three (3) of this Act and evaluate its programs to determine whether the program plans approved for the use of the Bankhead-Jones fund account have been efficiently and effectively implemented, whether the objectives of the approved program plans are being met, whether the fund has been managed in accordance with sound financial management procedures, and whether continued supervision by the Bankhead-Jones fund committee is needed to properly continue administration of the fund.

Unless the general assembly acts to approve the performance of the Bankhead-Jones fund committee and authorizes it to continue to function as provided in sections two (2) through seven (7) of this Act or as otherwise directed, the committee shall cease to act in any manner which involves the further commitment of moneys available under this division and shall incur no further obligations under its programs, except that it shall continue to administer parts of its programs already in progress to the extent that it has already incurred obligations thereunder, and may disburse funds only as required to do so and to pay its own minimum necessary administrative expenses. The committee shall not make further commitments or incur further obligations to carry out programs subsequent to June 30, 1982, until the general assembly has reviewed and approved the performance of the committee as provided in this section and authorized it to continue to function as provided in sections two (2) through seven (7) of this Act or as otherwise directed by the general assembly."

42. Page 8, line 20, by striking the figure "13" and inserting in lieu thereof the figure "11".

43. By renumbering sections and references as needed.

44. Amend the title, lines 2 and 3, by striking the words "and creating a family farm guaranteed loan program".

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

WENDELL C. PELLETT, Chair
JAMES O. ANDERSON
WAYNE BENNETT
HERBERT C. HINKHOUSE
EMIL J. HUSAK

BASS VAN GILST, Chair
IRVIN L. BERGMAN
C. W. BILL HUTCHINS
DALE L. TIEDEN
ARNE WALDSTEIN

Roll call was requested by Davitt of Warren and Husak of Tama.

Rule 80 was invoked.

On the question "Shall the conference committee report be adopted?"

The ayes were, 55:

Anderson, J.	Bennett	Binneboese	Branstad
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Hummel
Husak	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Loneragan
Maulsby	McKean	Menke	Millen
Mullins	Oxley	Pellett	Pelton
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Welden	Mr. Speaker (Smalley)	

The nays were, 40:

Anderson, R.	Arnould	Avenson	Bina
Brandt	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Groth
Hall	Halvorson, R.N.	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Krewson	Larsen	Lloyd-Jones	Lorenzen
Lura	Miller	O'Kane	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 5:

Evans	Harbor	Norland	Patchett
West			

The motion prevailed and the conference committee report 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. 671)

The ayes were, 66:

Anderson, J.	Arnould	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Clark, B.J.	Clark, J.H.	Corey	Crabb

Crawford	Cusack	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Hansen, I.	Hanson, D.	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hummel	Husak	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Lloyd-Jones
Lonergan	Maulsby	McKean	Menke
Mullins	Oxley	Pellett	Poffenberger
Pope	Rapp	Ritsema	Schnekloth
Schroeder	Shimanek	Shull	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Van Maanen	Mr. Speaker (Smalley)		

The nays were, 24:

Anderson, R.	Avenson	Byerly	Chiodo
Cochran	Connolly	Connors	Davitt
Doyle	Halvorson, R.N.	Hullinger	Jay
Larsen	Lorenzen	Lura	Miller
O'Kane	Pavich	Perkins	Sherzan
Spear	Walter	Welden	Wells

Absent or not voting, 10:

Conlon	Harbor	Krewson	Millen
Norland	Patchett	Pelton	Welsh
West	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT TO VOTE

Tyrrell of Iowa asked and received unanimous consent to be recorded as voting "aye" on House File 671 and the vote was so recorded.

IMMEDIATE MESSAGE (House File 671)

Pellett of Cass asked and received unanimous consent that House File 671 be immediately messaged to the Senate.

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 on May 10, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 758, a bill for an act relating to establishing and making an appropriation for an elderly care program.

FRANK J. STORK, Secretary

RULE 54 SUSPENDED

Halvorson of Clayton asked and received unanimous consent to suspend Rule 54 for the committee on appropriations meeting.

RULES SUSPENDED

Halvorson of Clayton asked for unanimous consent for the immediate consideration of House Files 758 and 676.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended for the immediate consideration of House Files 758 and 676.

A non-record roll call was requested.

The ayes were 66, nays 22.

The motion prevailed and the rules were suspended.

SENATE AMENDMENT CONSIDERED

Daggett of Taylor called up for consideration **House File 758**, a bill for an act establishing and making an appropriation for an elderly care program, amended by the Senate amendment H-4408, received from the Senate on May 10, 1979, and moved that the House concur in the following Senate amendment:

H-4408

1 Amend House File 758 as amended, passed and

- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 5 through 9 and
 4 inserting in lieu thereof the words "chore, adult
 5 day care, and home repair services, including the
 6 winterizing of homes, and for the construction of
 7 entrance ramps which meet the requirements of section
 8 one hundred four A point four (104A.4) of the Code
 9 and make residences accessible to the physically
 10 handicapped, for citizens of Iowa over".
- 11 2. Page 1, lines 19 through 21, by striking the
 12 words "to provide support for the construction of
 13 entrance ramps to make residences accessible to the
 14 physically handicapped, and".
- 15 3. Page 5, line 6, by inserting after the word
 16 "section" the words "in accordance with rule"
 17 promulgated by the commission".

The motion prevailed and the House concurred in the Senate amendment.

Daggett of Taylor 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. 758)

The ayes were, 93:

Anderson, J.	Anderson, R.	Arnould	Bennett
Bina	Binneboese	Brandt	Branstad
Bruner	Byerly	Chiold	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt
De Groot	Dieleman	Diemer	Doyle
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Loneragan	Lorenzen
Maulsby	McKean	Menke	Miller
Mullins	O'Kane	Oxley	Pavich
Pellett	Pelton	Perkins	Poffenberger
Pope	Rapp	Ritsema	Schneklloth
Schroeder	Sherazan	Shimaneck	Shull
Spear	Stromer	Swearingen	Thompson

Tofte
Wells
Mr. Speaker
(Smalley)

Tyrrell
Welsh

Van Maanen
West

Walter
Woods

The nays were, none.

Absent or not voting, 7:

Avenson
Norland

Harbor
Patchett

Lura
Welden

Millen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

Halvorson of Webster asked and received unanimous consent to be recorded as voting "aye" on House File 758 and the vote was so recorded.

House File 676, a bill for an act relating to the tax on the services of parking and of test laboratories, was taken up for consideration.

Clark of Cerro Gordo offered the following amendment H-4396 filed by her and Chiodo of Polk from the floor and moved its adoption:

H-4396

- 1 Amend House File 676 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. Section four hundred twenty-two point
- 5 forty-three (422.43), unnumbered paragraph nine (9),
- 6 Code 1979, is amended to read as follows:
- 7 The following enumerated services shall be subject
- 8 to the tax herein imposed on gross taxable services:
- 9 Alteration and garment repair; armored car; automobile
- 10 repair; battery, tire and allied; investment counseling
- 11 (excluding investment services of trust departments);
- 12 bank service charges; barber and beauty; boat repair;
- 13 car wash and wax; carpentry; roof, shingle, and glass
- 14 repair; dance schools and dance studios; dry cleaning,
- 15 pressing, dyeing, and laundering; electrical repair
- 16 and installation; engraving, photography, and
- 17 retouching; equipment rental; excavating and grading;

18 farm implement repair of all kinds; flying service,
 19 except agricultural aerial application services and
 20 aerial commercial and charter transportation services;
 21 furniture, rug, upholstery repair and cleaning; fur
 22 storage and repair; golf and country clubs and all
 23 commercial recreation; house and building moving;
 24 household appliance, television, and radio repair;
 25 jewelry and watch repair; machine operator; machine
 26 repair of all kinds; motor repair; motorcycle, scooter,
 27 and bicycle repair; oilers and lubricators; office
 28 and business machine repair; painting, papering, and
 29 interior decorating; parking lots facilities; pipe
 30 fitting and plumbing; wood preparation; private
 31 employment agencies; printing and binding; sewing
 32 and stitching; shoe repair and shoeshine; storage
 33 warehousing of raw agricultural products; telephone
 34 answering service; test laboratories, except tests
 35 on humans; termite, bug, roach, and pest eradicators;
 36 tin and sheet metal repair; turkish baths, massage,
 37 and reducing salons; vulcanizing, recapping, and
 38 retreading; weighing; welding; well drilling; wrapping,
 39 packing, and packaging of merchandise other than
 40 processed meat, fish, fowl and vegetables; wrecking
 41 service; wrecker and towing.

42 Sec. 2. Section four hundred twenty-two point
 43 forty-five (422.45), subsection nine (9), Code 1979,
 44 is amended to read as follows:

45 9. Gross receipts from the sales of newspapers,
 46 free newspapers or shoppers guides and the printing
 47 and publishing thereof, and envelopes for advertising.

48 Sec. 3. Section four hundred twenty-two point
 49 forty-five (422.45), Code 1979, is amended by adding
 50 the following new subsection:

Page 2

1 NEW SUBSECTION. The gross receipts from the sale
 2 of property which is a container, label, carton, .
 3 pallet, packing case, wrapping paper, twine, bag,
 4 bottle, shipping case or other similar article or
 5 receptacle sold to retailers or manufacturers for
 6 the purpose of packaging or facilitating the
 7 transportation of tangible personal property sold
 8 at retail.

9 Sec. 4. Section four hundred twenty-two point
 10 forty-five (422.45), Code 1979, is amended by adding
 11 the following new subsection:

12 NEW SUBSECTION. The gross receipts from sales
 13 or services rendered, furnished or performed by a
 14 county or city. This exemption does not apply to
 15 the tax specifically imposed under section four hundred

16 twenty-two point forty-three (422.43) of the Code
17 on the gross receipts from the sales, furnishing or
18 service of gas, electricity, water, heat and
19 communication service to the public by a municipal
20 corporation in its proprietary capacity.

21 Sec. 5. Section four hundred twenty-three point
22 four (423.4), Code 1979, is amended by adding the
23 following new subsection:

24 **NEW SUBSECTION.** Vehicles subject to registration
25 which are transferred from a business or individual
26 conducting a business within this state as a sole
27 proprietorship or partnership to a corporation formed
28 by the sole proprietorship or partnership for the
29 purpose of continuing the business when all of the
30 stock of the corporation so formed is owned by the
31 sole proprietor and the sole proprietor's spouse or
32 by all the partners in the case of a partnership.
33 This exemption is equally available where the vehicles
34 subject to registration are transferred from a
35 corporation to a sole proprietorship or partnership
36 formed by that corporation for the purpose of
37 continuing the business when all of the incidents
38 of ownership are owned by the same person or persons
39 who were stockholders of the corporation.

40 Sec. 6. The director of revenue shall not collect
41 any tax due or delinquent, including interest and
42 penalties, from sales or services rendered, furnished
43 or performed, before the effective date of this Act
44 if such sales or services would be exempt under section
45 four (4) of this Act if made after the effective date
46 of this Act. Any tax that has been collected before
47 the effective date of this Act is not refundable.

48 Sec. 7. Notwithstanding the provisions of division
49 four (IV) of chapters four hundred twenty-two (422)

Page 3

1 and four hundred twenty-three (423) of the Code, any
2 municipally-owned solid waste facility which sells
3 all or part of its processed waste as fuel to a
4 municipally-owned public utility and which have no
5 earnings going to the benefit of an equity investor
6 or stockholder may make application to the department
7 for the refund of any sales, service or use taxes
8 paid by them or the contractor on the gross receipts
9 of all sales of goods, wares or merchandise or from
10 services rendered, furnished, or performed between
11 January 1, 1973 and July 1, 1978. Upon receipt of
12 application for a refund, the director shall verify
13 that under the facts specified by the applicant the
14 applicant would now be exempt from the payment of

15 the sales or use tax under subsection five (5) of
16 section four hundred twenty-two point forty-five
17 (422.45) of the Code or would be entitled to a refund
18 under subsection seven (7) of section four hundred
19 twenty-two point forty-five (422.45) of the Code.

20 The application for a refund authorized under this
21 subsection shall be filed with the director within
22 one year after the effective date of this Act. If
23 the director determines that the applicant would now
24 be exempt or entitled to a refund under subsection
25 five (5) or seven (7) of section four hundred twenty-
26 two point forty-five (422.45) of the Code, the director
27 shall remit the amount of the refund to the applicant."

28 2. Amend the title, by striking everything after
29 the word "Act" in line 1 and inserting in lieu thereof
30 the words "relating to the sales, service, and use
31 tax by imposing the service tax on all parking
32 facilities, exempting from the tax the gross receipts
33 from laboratory tests on human beings, envelopes for
34 advertising, property purchased for packaging tangible
35 personal property sold at retail, sales and services
36 rendered, furnished, or performed by counties and
37 cities, and transfers of vehicles subject to
38 registration from a sole proprietorship or partnership
39 to a corporation formed by the sole proprietorship
40 or partnership for the purpose of continuing the
41 business of the sole proprietorship or partnership
42 as a corporation, providing that delinquent taxes,
43 penalties, and interest on sales and services provided
44 by cities and counties shall not be collected, and
45 providing for the refund of any sales, service, and
46 use taxes collected after January 1, 1973, from a
47 municipal solid waste facility which have no earnings
48 going to the benefit of an equity investor or
49 stockholder."

Amendment H—4396 was adopted placing the following amend-
ments out of order:

H—3651 filed by Anderson, et al., on March 29, 1979.

H—3652 filed by Husak of Tama and Byerly of Polk on March 29,
1979.

H—3946 filed by Chiodo, et al., on April 17, 1979.

H—3948 filed by Chiodo, et al., on April 17, 1979.

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. 676)

The ayes were, 80:

Anderson, J.	Arnould	Bennett	Bina
Binneboese	Brandt	Branstad	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Conlon	Connors	Corey
Crawford	Daggett	Davitt	De Groot
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hoffmann	Holt
Horn	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Larsen
Lloyd-Jones	Lorenzen	Lura	McKean
Menke	Mullins	Norland	O'Kane
Oxley	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Schroeder	Sherzan
Shimaneck	Shull	Spear	Stromer
Swearingen	Thompson	Tofte	Tyrrell
Walter	Welden	Wells	Mr. Speaker (Smalley)

The nays were, 9:

Connolly	Crabb	Cusack	Danker
Hinkhouse	Husak	Loneragan	Maulsby
Van Maanen			

Absent or not voting, 11:

Anderson, R.	Avenson	Howell	Krewson
Lind	Millen	Miller	Patchett
Welsh	West	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 63 WITHDRAWN

Howell of Floyd asked and received unanimous consent to withdraw House File 63 from further consideration by the House.

HOUSE FILE 607 WITHDRAWN

Corey of Louisa asked and received unanimous consent to withdraw House File 607 from further consideration by the House.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

INTRODUCTION OF BILLS

House File 765, by committee on appropriations, a bill for an act relating to the funding of substance abuse programs by appropriating funds to the Iowa department of substance abuse for administration and program grants, by making changes in chapter one hundred twenty-five (125) of the Code relating to substance abuse programs and the funding therefor, and by increasing certain taxes on beer and liquor sold in the state.

Read first time and placed on the **appropriations calendar**.

House File 766, by committee on appropriations, a bill for an act to make an additional appropriation to the department of social services for the aid to dependent children program during the first quarter of the fiscal year beginning July 1, 1979, and relating to aid to dependent children benefits to expectant mothers and to an increase in the level of aid to dependent children payments.

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 on May 10, 1979, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 757, a bill for an act relating to the equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity.

FRANK J. STORK, Secretary

SENATE AMENDMENT TO HOUSE FILE 757

H-4409

- 1 Amend House File 757 as amended, passed and
- 2 reprinted by the House as follows:

3 1. Page 2, by inserting after line 8 the following
4 new sections:

5 "Sec. . Section four hundred twenty-five point
6 two (425.2), Code 1979, is amended by striking the
7 section and inserting in lieu thereof the following:
8 425.2 QUALIFYING FOR CREDIT. A person who wishes
9 to qualify for the credit allowed under this chapter,
10 shall obtain the appropriate forms for filing for
11 the credit from the assessor. The person claiming
12 the credit shall file a verified statement and
13 designation of homestead with the assessor for the
14 year for which the person is first claiming the credit.
15 The claim shall be filed not later than July first
16 of the year for which the person is claiming the
17 credit.

18 The claim shall have on its face a notice to the
19 claimant that if the claimant ceases to use property
20 as a homestead, the claimant is no longer eligible
21 to receive the credit on the designated homestead
22 and the department shall have the authority to file
23 an action in law to recover any amount paid to the
24 county on the designated homestead for any years in
25 which the claimant was not eligible to receive the
26 credit.

27 Upon the filing of the claim, the claim shall be
28 allowed to that person for successive years without
29 further filing as long as the property is used as
30 a homestead. The person filing the claim need not
31 file additional claims on that homestead. When the
32 property is sold or transferred, a person who wishes
33 to qualify shall refile for credit. A person who
34 ceases to use a property for a homestead shall notify
35 the assessor not later than June thirtieth of the
36 year in which the use is changed.

37 In case the owner of the homestead is in active
38 service in the military, naval, or air forces or nurse
39 corps of this state or of the United States, the
40 statement and designation may be delivered or filed
41 by any member of the owner's family. The commissioner
42 of social services or the commissioner's designee
43 shall make application for the benefits of this chapter
44 as the agent for and on behalf of persons receiving
45 assistance under chapter two hundred forty-nine (249)
46 of the Code.

47 Sec. . Section four hundred twenty-five point
48 three (425.3), Code 1979, is amended by striking the
49 section and inserting in lieu thereof the following:

50 425.3 VERIFICATION OF CLAIMS FOR HOMESTEAD CREDIT.

Page 2

1 The assessor shall retain a permanent file of current
2 homestead claims filed in the assessor's office.

3 The assessor shall file a notice of transfer of
4 property for which a claim is filed when notice is
5 received from the office of the county recorder.

6 The county recorder shall give notice to the
7 assessor of each transfer of title filed in the
8 recorder's office. The notice shall describe the
9 property transferred, the name of the person
10 transferring the title to the property, and the name
11 of the person to whom title to the property has been
12 transferred.

13 Not later than July second of each year, the
14 assessor shall remit the statements and designation
15 of homesteads to the county auditor with the assessor's
16 recommendation for allowance or disallowance. If
17 the assessor recommends disallowance of a claim, the
18 assessor shall submit the reasons for the
19 recommendation, in writing, to the county auditor.

20 The county auditor shall forward the claims to
21 the board of supervisors. The board shall examine
22 all claims filed and delivered and shall allow or
23 disallow the claims. If the board disallows a claim,
24 it shall send written notice, by certified mail, to
25 the claimant at the claimant's last known address.
26 The notice shall state the reasons for disallowing
27 the claim for the credit.

28 Sec. . Section four hundred twenty-five point
29 six (425.6), Code 1979, is amended to read as follows:

30 425.6 WAIVER BY NEGLECT. If ~~any~~ a person fails
31 to make file a claim for the credits provided for
32 under this chapter as herein required, ~~he~~ the person
33 shall be deemed to have waived the homestead credit
34 for the any year preceding the year in which he the
35 person failed to make claim.

36 Sec. . Section four hundred twenty-seven point
37 six (427.6), Code 1979, is amended to read as follows:

38 427.6 ALLOWANCE—CONTINUING EFFECTIVENESS. Said
39 claim for exemption, if filed on or before July 1—
40 first of any year and allowed by the board of
41 supervisors, shall be effective to secure an exemption
42 only for the year in which such exemption is filed
43 and for successive years without further filing as
44 long as the property is owned by the claimant.
45 Provided, notwithstanding the filing of the claim
46 on or before July 1—first of any year, the claimant
47 or the claimant's unremarried surviving spouse shall
48 be the legal or equitable owner of the property upon
49 which exemption is claimed, on the first day of July
50 of the year in which said exemption is claimed and

Page 3

1 for each succeeding year.

2 Any person whose claim is denied under the
3 provisions of this chapter may appeal from the action
4 of the board of supervisors in the district court
5 of the county in which said claimed military service
6 tax exemption is situated by giving written notice
7 of such appeal to the county auditor of said county
8 within twenty days from the date of mailing of notice
9 of such action by the board of supervisors.

10 Upon adoption of a resolution by the county board
11 of supervisors, any person may request, in writing,
12 from the appropriate assessor forms for the filing
13 for a military service tax exemption. The person
14 may complete the form, which shall include a statement
15 claiming the military service tax exemption and
16 designating the property upon which the tax exemption
17 is claimed, and mailed or return it to the appropriate
18 assessor. The signature of the claimant on the claim
19 shall be considered the claimant's acknowledgment
20 that all statements and facts entered on the form
21 are correct to the best of the claimant's knowledge."

22 2. Page 17, by inserting after line 19 the
23 following new sections:

24 "Sec. . NEW SECTION. DEFINITION. As used
25 in this Act, "committee" means the county finance
26 committee.

27 Sec. . NEW SECTION. COUNTY FINANCE COMMIT-
28 TEE.

29 1. There is created a county finance committee
30 consisting of nine members. The members of the
31 committee shall be:

32 a. The auditor of state or a designee of the
33 auditor of state.

34 b. The state comptroller or a designee of the
35 state comptroller.

36 c. Five elected county officials who are regularly
37 involved in budget preparation. One county official
38 shall be from a county with a population of less than
39 eleven thousand five hundred, one from a county with
40 a population of more than eleven thousand five hundred
41 but not more than sixteen thousand, one from a county
42 with a population of more than sixteen thousand but
43 not more than twenty-two thousand five hundred, one
44 from a county with a population of more than twenty-
45 two thousand five hundred but not more than eighty
46 thousand and one from a county with a population of
47 more than eighty thousand. The governor shall select
48 and appoint the county officials, subject to the
49 approval of two-thirds of the members of the senate.

50 d. A certified public accountant experienced in

Page 4

1 governmental accounting selected and appointed by
2 the governor with the approval of two-thirds of the
3 members of the senate.

4 e. An operations research analyst experienced
5 in cost effectiveness analysis of county services
6 appointed by, and to serve at the pleasure of, the
7 legislative council.

8 2. The members of the committee appointed by the
9 governor are appointed for four-year terms except
10 that of the initial appointments, two county official
11 members shall be appointed to two-year terms. When
12 a county official member no longer holds the office
13 which qualified him or her for appointment, he or
14 she shall no longer be a member of the committee.
15 Any person appointed to fill a vacancy shall be
16 appointed to serve the unexpired term. Any member
17 is eligible for reappointment, but a member shall
18 not be appointed to serve more than two four-year
19 terms.

20 Sec. . NEW SECTION. OFFICE—STAFF—COMPENSA-
21 TION.

22 1. The committee is located for administrative
23 purposes within the office of state comptroller.
24 The state comptroller shall provide office space,
25 staff assistance, and necessary supplies and equipment
26 for the committee. The state comptroller shall budget
27 funds to pay the compensation and expenses of the
28 committee.

29 2. Each member is entitled to reimbursement for
30 actual and necessary expenses incurred in the
31 performance of committee duties. Each member, except
32 officers and employees of the state and full-time
33 elected county officials, is entitled to receive a
34 per diem of forty dollars for each day spent in the
35 performance of committee duties.

36 3. The committee shall select its own officers
37 except that the state comptroller or a designee of
38 the state comptroller shall serve as chairperson.

39 Sec. . NEW SECTION. POWERS AND DUTIES OF THE
40 COMMITTEE. The committee shall:

41 1. Design budget forms for all county funds.

42 2. Establish guidelines for program budgeting and
43 accounting and the preparation of five-year capital
44 improvement plans. It shall, where practicable, use
45 recommendations of the national council on governmental
46 accounting.

47 3. Review and comment on county budgets to county
48 officials and provide assistance to enable counties
49 to improve upon and use sound financial procedures.

50 4. Conduct studies of county revenues and expendi-

Page 5

- 1 tures.
- 2 5. Advise and make recommendations annually to
3 the governor and the general assembly concerning
4 county budgets and finance.
- 5 6. Promulgate its rules in compliance with chapter
6 seventeen A (17A) of the Code.
- 7 Sec. . NEW SECTION. ADDITIONAL DUTIES. In
8 addition to the powers and duties specified in the
9 preceding section of this Act, the committee shall
10 prepare legislation for submission to the general
11 assembly in January, 1981, which would have as its
12 principal purpose the consolidation of current county
13 funds into not more than seven functional funds.
14 The committee shall also make recommendations for
15 appropriate budget or levy limitations for the proposed
16 consolidated funds.
- 17 Sec. . NEW SECTION. The county finance
18 committee established by this Act is abolished on
19 July 1, 1981.
- 20 3. Page 18, lines 6 and 7, by striking the word
21 and figures "January 30, 1980" and inserting in lieu
22 thereof the word and figures "December 1, 1979".
- 23 4. Renumber sections and correct internal
24 references as are necessary in accordance with this
25 amendment.

HOUSE CONCURRENT RESOLUTION 29
By Clark of Cerro Gorbo

- 1 *Whereas*, the state of Iowa owns and operates seven cor-
2 rectional facilities throughout the state; and
- 3 *Whereas*, the operation of these facilities is one of
4 the most difficult tasks assigned to the Department of So-
5 cial Services; and
- 6 *Whereas*, the problems of obtaining, training and re-
7 training qualified staff for the state correctional system
8 are substantial and only partially addressed by the appro-
9 priations provided in HF 755; and
- 10 *Whereas*, concern has been expressed as to the ability
11 of the present system to identify and assist in the educa-
12 tion and treatment of mentally retarded and mentally ill
13 inmates and to prevent their victimization by other inmates;
14 and
- 15 *Whereas*, the pre-trial release program has been subject
16 to criticism as to its validity and the appropriateness of
17 the state's support; and
- 18 *Whereas*, questions have been raised as to the quality,
19 nature and quantity of the educational and training pro-
20 grams available at correctional facilities; and

21 *Whereas*, the operation of the correctional system is
 22 grounded in the provisions of the Iowa Criminal Code; and
 23 *Whereas*, the problems of the correctional facilities
 24 span the areas of appropriations, the judicial system, and
 25 human relations and needs; *Now Therefore*,

Page 2

1 *Be It Resolved by the House of Representatives, the*
 2 *Senate Concurring*, That the Legislative Council is requested
 3 to authorize an interim study by a joint subcommittee composed
 4 of the members of the House and Senate standing committees on
 5 Human Resources and Judiciary and the Joint Social Services
 6 Appropriations Subcommittee, to examine the wide range of
 7 problems facing the Iowa correctional system; and
 8 *Be It Further Resolved*, That the study committee shall
 9 prepare a report of its findings and submit it to the
 10 Legislative Council and the members of the Sixty-eighth
 11 General Assembly, 1980 session.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 30

By Ritsema

1 *Whereas*, the state of Iowa already has a state
 2 flag, a state seal, a state banner, a state flower,
 3 a state bird, a state tree, and a state rock; and
 4 *Whereas*, the 1979 Iowa House of Representatives
 5 has determined that these are not enough pieces of
 6 insignificant trivia for this great state; and
 7 *Whereas*, the 1979 Iowa House of Representatives
 8 has therefore decided to add to this list by naming
 9 the lady bug as the state insect; and
 10 *Whereas*, this addition is still not enough to
 11 meet the needs of trivia experts throughout the
 12 state and the country; *Now Therefore*,
 13 *Be It Resolved by the House of Representatives,*
 14 *The Senate Concurring*, that the following items also
 15 be added to this important list:
 16 State Nickname The Hawkeye State
 17 State Sport 6—Girl Basketball
 18 State Food Iowa Chop
 19 State Animal Cow
 20 State Color Brown
 21 State Number 1846
 22 State Fiber Polyester; and
 23 *Be It Further Resolved*, that a bipartisan commission
 24 be established to periodically review this list and to
 25 make recommendations to the Iowa legislature for future
 26 additions, deletions, and revisions. Such commission

27 shall be composed of two Senators, not more than one of
 28 which shall be from the same political party; two
 29 Representatives, not more than one of which shall be
 30 from the same political party; and one layperson with
 31 acknowledged expertise in such matters. Such appointments
 32 shall be made by the Governor, subject to approval by a
 33 two-thirds vote of all elementary school students in
 34 the state of Iowa; and
 35 *Be It Further Resolved*, that this commission
 36 shall be known as the Commission on Worthless And
 37 Stupid Trivia, etc., or the Commission on W.A.S.T.E.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 31
 By Daggett, Dieleman and De Groot

1 *Whereas*, subjects taught in the public schools of
 2 this state relate to the origins of the earth and the
 3 origins of the inhabitants of the earth, and
 4 *Whereas*, there are several different theories which
 5 have been developed relating to the origins of the
 6 earth and the origins of the inhabitants of the earth,
 7 and
 8 *Whereas*, it is important that the children of this
 9 state are taught about the origins of the earth and
 10 the origins of the inhabitants of the earth in a man-
 11 ner which is acceptable to the citizens of this state,
 12 *Now Therefore*,
 13 *Be It Resolved By The House of Representatives*,
 14 *The Senate Concurring*, That the Legislative Council is
 15 directed to authorize the appropriate standing committees
 16 of the House and Senate to appoint a joint subcommittee
 17 of the standing committees to conduct a study of the
 18 methods presently used, and the methods which might be
 19 used, to teach the origins of the earth and the origins
 20 of the inhabitants of the earth. A copy of the recommenda-
 21 tions of the subcommittee, together with bill drafts to
 22 implement the recommendations, shall be sent to the
 23 appropriate committees of the general assembly, the
 24 Legislative Council, and the general assembly.

Laid over under Rule 30.

HOUSE CONCURRENT RESOLUTION 32
 By Pelton

1 *Whereas*, the costs of gas and electricity
 2 utilized for residential purposes have risen
 3 dramatically, and
 4 *Whereas*, many senior citizens on fixed incomes
 5 and low income persons are experiencing great
 6 difficulty and economic hardship in attempting to
 7 meet their utility costs, and
 8 *Whereas*, competitive forces of the market place
 9 are replaced by public regulation of utilities, and
 10 *Whereas*, the Iowa State Commerce Commission and

11 the Iowa Legislature are ultimately responsible to
 12 establish public policy regarding utilities and their
 13 rates; *Now Therefore,*

14 *Be It Resolved by the House of Representatives,*
 15 *The Senate Concurring,* That a joint subcommittee
 16 composed of five members of the House of Representatives
 17 and five members of the Senate, being members of the
 18 respective standing committees of Commerce and Energy,
 19 be appointed during the 1979 legislative interim to
 20 comprehensively study the utility rate structure in
 21 Iowa.

22 *Be It Further Resolved,* That the scope of this
 23 study shall include, but not be limited to, the
 24 following matters:

25 1. Present policies and procedures of the Iowa
 26 State Commerce Commission concerning the establishment
 27 and amendments in utility rates.

28 2. Review and compare the utility rate structure
 29 and regulations utilized in other states.

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1 3. Consideration of utility rate reforms
 2 including "lifeline" rates, "flat" rates, "inverted"
 3 rates, and "time-of-use" rates, and their respective
 4 economic impact upon the utilities and their customers.

5 4. Consultation with the Iowa State Commerce
 6 Commission, the Iowa Energy Policy Council, or other
 7 recognized persons or groups with expertise in energy
 8 policy, and members of the general public through
 9 public hearings.

10 *Be It Further Resolved,* That the joint subcommittee
 11 shall prepare a specific report of their deliberations
 12 and recommendations for submission to the General
 13 Assembly in January of 1980.

Laid over under Rule 30.

HOUSE RESOLUTION 43
 By Clark of Cerro Gordo

1 *Whereas,* 1977 statistics indicate that only 13 percent
 2 of the population of the United States live in a family
 3 group of two parents, one of whom is a wage earner, with
 4 children; and

5 *Whereas,* 16 percent of the population now live in fam-
 6 ilies having only one parent and another 16 percent in fam-
 7 ilies where both parents work; and

8 *Whereas,* the nature of the American family is under-
 9 going significant change as indicated by these statistics;
 10 and

11 *Whereas,* each year the Legislature enacts numerous laws
 12 affecting the nature of the relationships between family
 13 members as well as the ability of the family to cope as an
 14 economic unit; and

15 *Whereas,* the impact of various laws passed by the Gen-
 16 eral Assembly on the Iowa family is unknown and no policy

17 statement currently exists for evaluating the effects of
 18 proposed and existing legislation; *Now Therefore,*
 19 *Be It Resolved by the House of Representatives,*
 20 That the Legislative Council is requested to authorize an
 21 interim study by a subcommittee of the House Committee on
 22 Human Resources, to develop a policy statement of Legisla-
 23 tive goals regarding the Iowa family by which legislation
 24 can be evaluated; and

Page 2

1 *Be It Further Resolved,* That the study committee shall
 2 prepare a report of its findings and recommendations and
 3 submit it to the Legislative Council and the members of the
 4 Sixty-eighth General Assembly, 1980 Session.

Laid over under Rule 30.

HOUSE RESOLUTION 44

By Clark of Cerro Gordo

1 *Whereas,* the services for the elderly provided through,
 2 various federal, state and local programs frequently
 3 overlap; and

4 *Whereas,* each program, even where providing the same
 5 type of service, has different eligibility requirements
 6 and is directed at a different segment of the elderly
 7 population; and

8 *Whereas,* the Commission on the Aging has conducted an
 9 initial survey of the various programs available to elderly
 10 Iowans and the agencies providing services; and

11 *Whereas,* the survey indicates that at the state level,
 12 the elderly are served not only by the Commission on the
 13 Aging and the Area Agencies on Aging but also by the
 14 state departments of Social Services, Health, Transportation,
 15 the Board of Regents, the Citizens Aide Office, and the
 16 Spanish Speaking Peoples Commission, among others; and

17 *Whereas,* the necessity for adequate coverage of the
 18 needs of the elderly without duplication of services or
 19 problems in the accessibility to these services is very
 20 evident; and

21 *Whereas,* the General Assembly should have a clear
 22 understanding of the current system for providing services
 23 to the elderly in order for the General Assembly to enact
 24 programs adequate to meet the needs of our elderly citizens
 without duplication of efforts; *Now Therefore,*

Page 2

1 *Be It Resolved by the House of Representatives,* That
 2 the Legislative Council is requested to authorize an
 3 interim study by a committee consisting of members of the
 4 standing Committee on Human Resources, to examine the
 5 existing system for providing services to the elderly of
 6 Iowa; and

7 *Be It Further Resolved,* That the study committee shall
 8 make recommendations as to how these programs can be better

9 coordinated, as to the service gaps in the existing system
 10 which the Legislature can assist in filling, as well as to
 11 any duplication of services which should be eliminated; and
 12 *Be It Further Resolved*, That the study committee shall
 13 prepare a report of its findings and submit it to the
 14 Legislative Council and the members of the Sixty-eighth
 15 General Assembly, 1980 Session.

Laid over under Rule 30.

UNANIMOUS CONSENT CALENDAR
 (House Resolution 40)

We hereby respectfully request that House Resolution 40, filed on May 8, 1979 and found on page 2143 of the House Journal, be placed on the unanimous consent calendar.

MULLINS of Kossuth
 BRANSTAD of Winnebago
 HOLT of Clay

(House Concurrent Resolution 32)

We hereby respectfully request that House Concurrent Resolution 32, filed on May 10, 1979 and found on page 2336 of the House Journal, be placed on the unanimous consent calendar.

PELTON of Clinton
 HOWELL of Floyd
 EVANS of Grundy

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 10, 1979, he approved and transmitted to the Secretary of State the following bill:

House File 81, an act relating to property tax exemptions for property on which improvements have been made in a revitalization area of a city and authorizing cities to issue revenue bonds for revitalization and urban renewal areas.

DAVID L. WRAY
 Chief Clerk of the House

Report adopted.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 10th day of May, 1979: House Files 10, 368, 450, 632, 693 and 730.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

Danker of Pottawattamie presented to the House the Honorable William Darrington, former member of the House representing Harrison County.

The Speaker announced that the following visitors were present in the House chamber:

Thirty fifth grade students from Fair Meadows Elementary School, West Des Moines, Iowa, accompanied by Mrs. Marilyn Hansen. By Thompson of Polk and Speaker Millen.

Sixty sixth grade students from Clarion Elementary School, Clarion, Iowa, accompanied by Carol Rohrer. By Stromer of Hancock and Welden of Hardin.

Sixty-five sixth grade students from Garner Elementary School, Garner, Iowa, accompanied by Mrs. Stille, Mrs. Nelson and Mr. Nielsen. By Stromer of Hancock.

Fifty-five eighth grade students from Guthrie Center Junior High School, Guthrie Center, Iowa, accompanied by Rich Friedrich, J. Ray and Ray Svendsen. By Anderson of Audubon.

Twenty-one junior students from Sheffield-Chapin High School, Sheffield, Iowa, accompanied by Steven Spurr. By Welden of Hardin.

Thirty-six sixth grade students from Riverton Elementary School, Farragut, Iowa, accompanied by Mrs. Wing and Mrs. Henstorf. By Harbor of Mills.

Eighty-five eighth grade students from Nashua Junior-Senior High School, Nashua, Iowa, accompanied by Gerry Bakke, Mrs. Allison and Mrs. Carter. By Johnson of Howard.

EXPLANATIONS OF VOTE

Because of my responsibilities as a member of the Board of

Trustees of the Davenport Municipal Art Gallery, I was necessarily absent on March 7 and March 8. Had I been present, I would have voted "aye" on amendment H-3331A to amendment H-3326 to House File 660, amendment H-3345 to amendment H-3326 to House File 660, amendment H-3335 to House File 660, amendment H-3334 to House File 660, amendment H-3329 to House File 660, amendment H-3330 to House File 660, amendment H-3350A to amendment H-3336 to House File 660, amendment H-3350B to amendment H-3336 to House File 660, amendment H-3350C to amendment H-3336 to House File 660, amendment H-3350D to amendment H-3336 to House File 660, amendment H-3350E to amendment H-3336 to House File 660, motion to reconsider amendment H-3334 to House File 660 and House File 660.

BINA of Scott

Due to my membership on the National Conference of State Legislatures Arts Task Force, I was attending the regional meeting in Santa Fe, New Mexico on a portion of Friday, February 9 and Monday, February 12. Had I been present, I would have voted "aye" on House File 257. I would have voted "nay" on Senate Joint Resolution 1.

BINA of Scott

Due to my teaching responsibilities at Palmer Junior College, I was necessarily absent for a portion of Friday, February 23. Had I been present, I would have voted "aye" on House Joint Resolution 13.

BINA of Scott

I was necessarily absent from the House chamber on May 10 when the vote was taken on House File 742. Had I been present, I would have voted "aye."

MILLER of Buchanan

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

DAVID L. WRAY
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, a bill for an act making appropriations for capital projects.

Recommended Do Pass.

Committee Bill, a bill for an act relating to the funding of substance abuse programs by appropriating funds to the Iowa department of substance abuse for administration and program grants, by making changes in chapter one hundred twenty-five (125) of the Code relating to substance abuse programs and the funding therefor, and by increasing certain taxes on beer and liquor sold in the state.

Recommended Do Pass.

Committee Bill, a bill for an act to make an appropriation to the department of social services for the aid to dependent children program during the first quarter of the fiscal year beginning July 1, 1979, and relating to aid to dependent children benefits to expectant mothers and to an increase in the level of aid to dependent children payments.

Recommended Do Pass.

Senate File 499, a bill for an act relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments, increasing mileage reimbursement rates for public officers and employees, making coordinating amendments to the Code, and appropriating funds.

Recommended Do Pass.

COMMITTEE ON WAYS AND MEANS

House File 762, a bill for an act to legalize proceedings taken by the city of Indianola relating to the letting of certain contracts.

Recommended Do Pass.

House File 763, a bill for an act to legalize proceedings taken by the city of Calmar relating to the letting of certain contracts.

Recommended Do Pass.

Committee Bill (Formerly House File 161), a bill for an act increasing the individual exemptions allowed under section four hundred fifty point nine (450.9) of the Code for a surviving spouse, son, daughter, father, mother and other lineal descendant in computing the state inheritance tax.

Recommended Do Pass.

AMENDMENTS FILED

H-4393	S.F. 494	Crabb of Crawford Rapp of Black Hawk Doyle of Woodbury Connors of Polk
H-4399	H.F. 759	Perkins of Greene

H-4400	S.F. 499	Tyrrell of Iowa
McKean of Jones		Hibbs of Johnson
Clark of Cerro Gordo		Pope of Polk
Schneklath of Scott		Pelton of Clinton
Ritsema of Sioux		Spear of Lee
Corey of Louisa		Johnson of Woodbury
Poffenberger of Dallas		De Groot of Lyon
Lageschulte of Bremer		Hanson of Delaware
Bruner of Story		O'Kane of Woodbury
Johnson of Linn		Diemer of Black Hawk
Perkins of Greene		Rapp of Black Hawk
Anderson of Audubon		Branstad of Winnebago
Lorenzen of Scott		Shimanek of Jones
Mullins of Kossuth		Lloyd-Jones of Johnson
Menke of O'Brien		Van Maanen of Mahaska
Johnson of Howard		Shull of Warren
Danker of Pottawattamie		Conlon of Muscatine
Hummel of Benton		Smalley of Polk
Daggett of Taylor		Lura of Marshall
Larsen of Wapello		Holt of Clay
Bennett of Ida		Crabb of Crawford
Thompson of Polk		Welden of Hardin
Maulsby of Calhoun		Hoffmann of Muscatine
H-4403	H.F. 747	Spear of Lee
H-4404	H.F. 759	Davitt of Warren
H-4407	S.F. 499	Lageschulte of Bremer
H-4410	H.F. 757	West of Marshall
H-4411	S.F. 499	Lageschulte of Bremer
H-4412	H.F. 765	Woods of Polk
		Kirkenslager of Des Moines
		Lorenzen of Scott
		Johnson of Linn
		Perkins of Greene
		Chiodo of Polk
		Larsen of Wapello
		Horn of Linn
H-4413	H.F. 765	Welsh of Dubuque
H-4414	S.F. 499	Woods of Polk
		Byerly of Polk
		Chiodo of Polk
H-4415	H.F. 765	Spear of Lee

On motion by Halvorson of Clayton the House adjourned at 11:33 p.m., until 9:00 a.m., Friday, May 11, 1979.

JOURNAL OF THE HOUSE

One Hundred Twenty-fourth Calendar Day—Eighty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 11, 1979

The House met pursuant to adjournment, Speaker Millen in the chair.

Prayer was offered by Father Philip Cardenzana, pastor of the St. Joseph Catholic Church, Montrose, Iowa.

The Journal of Thursday, May 10, 1979 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doyle of Woodbury on request of Hullinger of Decatur.

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 on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 148, a bill for an act relating to the ownership of land by non-resident aliens and providing penalties.

Also: That the Senate has on May 9, 1979, 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 418, a bill for an act relating to the method for electing members of local school district boards of directors.

Also: That the Senate has on May 10, 1979, 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 421, a bill for an act to allow the director of revenue to provide information lawfully in his possession to tax officers of other states.

Also: That the Senate has on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 650, a bill for an act relating to partial property tax exemptions for industrial property on which improvements have been made.

Also: That the Senate has on May 10, 1979, adopted the conference committee report and the amendments contained therein and passed House File 679, a bill for an act establishing a committee to review the regulation of occupations.

Also: That the Senate has on May 10, 1979, 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 719, a bill for an act relating to hazardous waste management and providing penalties.

Also: That the Senate has on May 10, 1979, 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 742, a bill for an act making appropriations to various executive, legislative and judicial departments and agencies.

Also: That the Senate has on May 9, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 149, a bill for an act to change the membership of the Iowa law enforcement academy council.

Also: That the Senate has on May 10, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 488, a bill for an act relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored.

Also: That the Senate has on May 9, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 495, a bill for an act relating to additional property tax relief for persons sixty-five years of age or older, extending the deadline for filing and making clarifying provisions.

FRANK J. STORK, Secretary

UNANIMOUS CONSENT FOR IMMEDIATE CONSIDERATION

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Files 757, 766 and 765 and Senate Files 499 and 494.

SENATE AMENDMENT CONSIDERED

West of Marshall called up for consideration **House File 757**, a bill for an act relating to equalization and assessment procedures by

providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure, amended by the Senate amendment H-4409, received from the Senate on May 10, 1979 and found on pages 2328 through 2333 of the House Journal.

West of Marshall offered the following amendment H-4410, to the Senate amendment H-4409, filed by him and moved its adoption:

H-4410

- 1 Amend Senate amendment H-4409 to House File
- 2 757 as follows:
- 3 1. Page 1, by striking lines 3 through 50.
- 4 2. Page 2, by striking lines 1 through 50.
- 5 3. Page 3, by striking lines 1 through 21.

Amendment H-4410 was adopted.

On motion by West of Marshall, the House concurred in the Senate amendment H-4409, as amended.

West of Marshall 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 passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 757)

The ayes were, 80:

Anderson, J.	Anderson, R.	Bennett	Bina
Binneboese	Brandt	Branstad	Byerly
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Corey	Crabb	Crawford
Cusack	Daggett	Danker	Davitt

De Groot	Dieleman	Diemer	Egenes
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Lageschulte	Lind	Lloyd-Jones
Loneragan	Lura	Maulsby	McKean
Menke	Miller	Mullins	Oxley
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Ritsema	Schneklath
Schroeder	Sherzan	Shimanek	Shull
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Welden	Wells	West	Mr. Speaker

The nays were, 3:

Hibbs	Krewson	Smalley
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Absent or not voting, 17:

Arnould	Avenson	Bruner	Chiodo
Connors	Doyle	Evans	Groth
Jochum	Larsen	Lorenzen	Norland
O'Kane	Patchett	Rapp	Welsh
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 383 AND 416 WITHDRAWN

West of Marshall asked and received unanimous consent to withdraw House Files 383 and 416 from further consideration by the House.

CONSIDERATION OF BILLS Appropriations Calendar

House File 766, a bill for an act to make an additional appropriation to the department of social services for the aid to dependent children program during the first quarter of the fiscal year beginning July 1, 1979, and relating to aid to dependent children benefits to expectant mothers and to an increase in the level of aid to dependent children payments, was taken up for consideration.

Welden of Hardin offered the following amendment H-4416 filed by him from the floor and moved its adoption:

H—4416

- 1 Amend House File 766 as follows:
- 2 1. Page 1, line 35, by striking the word
- 3 "applicable" and inserting in lieu thereof the word
- 4 "applicable".

Amendment H—4416 was adopted.

The following amendment H—4429, filed by Cusack of Scott from the floor, was adopted by unanimous consent:

H—4429

- 1 Amend House File 766 as follows:
- 2 1. Page 1, line 30, by striking the word
- 3 "unborn".
- 4 2. Page 1, line 35, by striking the word
- 5 "unborn".

Daggett of Taylor 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. 766)

The ayes were, 70:

Arnould	Avenson	Bina	Binneboese
Brandt	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	Dieleman	Diemer	Egenes
Evans	Gettings	Hall	Halvorson, R.A.
Halvorson, R.N.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Johnson, R.	Johnson, W.	Kirkenslager	Krewson
Lageschulte	Larsen	Lloyd-Jones	Lonergan
Miller	Mullins	Norland	Oxley
Patchett	Pavich	Perkins	Poffenberger
Pope	Rapp	Sherzan	Shimaneck
Shull	Spear	Stromer	Thompson
Walter	Welden	Wells	Welsh
West	Mr. Speaker		

The nays were, 21:

Anderson, J.	Bennett	Branstad	De Groot
Hansen, I.	Holt	Johnson, J.	Lind
Lura	Maulsby	McKean	Menke
Pellett	Pelton	Ritsema	Schneklath
Smalley	Swearingen	Tofte	Tyrrell
Van Maanen			

Absent or not voting, 9:

Anderson, R.	Doyle	Groth	Harbor
Jochum	Lorenzen	O'Kane	Schroeder
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

MOTION TO RECONSIDER TABLED
(House File 766)

Daggett of Taylor moved to reconsider the vote by which House File 766 passed the House on May 11, 1979 and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 75, nays 16.

The motion prevailed, placing the motion to reconsider filed by Danker of Pottawattamie, from the floor, out of order.

**ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE**
(House File 723)

Mullins of Kossuth called up for consideration the report of the conference committee on House File 723 filed May 11 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 723

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 723, a bill for an act relating to access to certain sealed records for the purpose of locating county of adoption by an adult adopted person and to the disclosure of medical and developmental information concerning an adult adopted person or a person to be adopted and that person's natural parents, respectfully make the following report:

1. That the Senate recedes from its amendment, H-4030, to House File 723 as amended, passed and reprinted by the House.

2. That House File 723, as amended, passed and reprinted by the House, is amended as follows:

1. Page 1, by striking lines 24 through 32 and inserting in lieu thereof the following:

"2. a. A preplacement investigation and report of the investigation shall be completed and the prospective adoption petitioner approved for a placement by the person making the investigation prior to any agency or independent placement of a minor person in the petitioner's home in anticipation of an ensuing adoption. A background information investigation and report shall be completed by the person making the preplacement investigation and report and a copy furnished to the prospective adoption petitioner within sixty days after the placement of the minor person in the petitioner's home. The person making the background information investigation and report may petition the court for an extension beyond the sixty-day requirement for completing the background investigation information and report. The court shall grant an extension for good cause."

2. Page 2, by striking lines 21 through 32 and inserting in lieu thereof the following:

"4. ~~A postplacement and a background information investigation and the reports report of these investigations~~ the investigation shall be completed and the ~~postplacement and background information reports~~ filed with the court prior to the holding of the adoption hearing prescribed in section 600.12. Upon the filing of an adoption petition pursuant to section 600.5, the court shall immediately appoint the department, an agency, or an investigator to conduct ~~this the~~ postplacement investigation and report. Any person, including".

3. Page 3, by inserting after line 3 the following:

"Sec. . Section six hundred point sixteen (600.16), subsection one (1), Code 1979, is amended by adding the following new, unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Information regarding an adopted person's complete medical and developmental history and family medical history, which

meets the definition of background information in section six hundred point eight (600.8), subsection one (1), paragraph c of the Code, but which was compiled prior to the effective date of that paragraph, shall be made available as provided in this subsection. The court shall order the disclosure of this information from court records or from the records of the department, agency, or individual making the placement. However, the identity of the adopted person's natural parents shall not be disclosed."

4. Page 3, by striking lines 4 and 5.

ON THE PART OF THE HOUSE:

SUE MULLINS, Chair
 BETTY JEAN CLARK
 JOHN H. CONNORS
 JOYCE LONERGAN
 NANCY J. SHIMANEK

ON THE PART OF THE SENATE:

JULIA B. GENTLEMAN, Chair
 ALVIN V. MILLER
 RICHARD R. RAMSEY
 ROBERT M. CARR
 CALVIN O. HULTMAN

The motion prevailed and the conference committee report was adopted.

Mullins of Kossuth 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. 723)

The ayes were, 94:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Egenes	Evans	Gettings	Groth
Hall	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hullinger	Hummel	Husak	Jay
Jesse	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lloyd-Jones	Lonergan	Lorenzen
Lura	McKean	Menke	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pellet	Pelton	Perkins
Poffenberger	Pope	Rapp	Ritsema
Schnekloth	Schroeder	Sherzan	ShimaneK
Shull	Spear	Stromer	Swearingen

Thompson
Welden
Woods

Tyrrell
Wells
Mr. Speaker

Van Maanen
Welsh

Walter
West

The nays were, 2:

Lind

Maulsby

Absent or not voting, 4:

Doyle

Miller

Smalley

Tofte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 723)

Mullins of Kossuth asked and received unanimous consent that House File 723 be immediately messaged to the Senate.

Appropriations Calendar

House File 765, a bill for an act relating to the funding of substance abuse programs by appropriating funds to the Iowa department of substance abuse for administration and program grants, by making changes in chapter one hundred twenty-five (125) of the Code relating to substance abuse programs and the funding therefor, and by increasing certain taxes on beer and liquor sold in the state, was taken up for consideration.

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on House File 765.

Ways and Means Calendar

The House resumed consideration of **Senate File 494**, a bill for an act relating to the state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and the personal exemption credits, providing for an interim study of income tax indexation, and making certain provisions of the Act retroactive, and amendment H-4361 (found on page 2204 of the House Journal), to the committee amendment H-4325 (found on pages 2191 through 2194 of the House Journal).

Schneklath of Scott asked and received unanimous consent to withdraw amendment H—4361.

Schneklath of Scott offered the following amendment H—4363, to the committee amendment H—4325, filed by him and moved its adoption:

H—4363

- 1 Amend the Committee amendment, H—4325, to Senate
- 2 File 494 as follows:
- 3 1. Page 1, by striking lines 20 through 23 and
- 4 inserting in lieu thereof the words "add one-fourth
- 5 for the 1979 calendar year and two-fourths for the
- 6 1980 calendar year of that percent change to one
- 7 hundred".
- 8 2. Page 1, by inserting after line 40 the
- 9 following:
- 10 "d. The annual inflation factor and the cumulative
- 11 inflation factor shall only be computed for the 1979
- 12 and 1980 calendar years."
- 13 3. Page 2, line 3, by inserting after the word
- 14 "year." the words "The director shall not alter the
- 15 dollar amounts specified in subsections one (1) through
- 16 thirteen (13) of this section for any tax year
- 17 beginning on or after January 1, 1981."
- 18 4. Page 2, by striking lines 40 and 41 and
- 19 inserting in lieu thereof the words and figures
- 20 "determine for the 1979 and 1980 calendar years the
- 21 annual and cumulative inflation factors for those
- 22 calendar years".
- 23 5. Page 2, line 48, by inserting after the word
- 24 "dollar." the words "The director shall not compute
- 25 new dollar amounts specified in subsections one (1)
- 26 through thirteen (13) of section four hundred twenty-
- 27 two point five (422.5) of the Code for any tax year
- 28 beginning on or after January 1, 1981."

Roll call was requested by Rapp of Black Hawk and Avenson of Fayette.

On the question "Shall amendment H—4363, to the committee amendment H—4325, be adopted?"

The ayes were, 53:

Anderson, J.
Byerly

Bennett
Clark, B.J.

Brandt
Clark, J.H.

Branstad
Conlon

Corey	Crabb	Crawford	Daggett
Danker	De Groot	Diemer	Egenes
Evans	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Jochum	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Lageschulte	Lind
Maulsby	McKean	Miller	Mullins
Pellett	Felton	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 40:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Bruner	Chiodo	Cochran
Connolly	Connors	Cusack	Davitt
Dieleman	Gettings	Groth	Hall
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Husak	Jay	Jesse
Lloyd-Jones	Loneragan	Lorenzen	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Rapp	Sherzan	Spear
Walter	Wells	Welsh	Woods

Absent or not voting, 7:

Doyle	Krewson	Larsen	Lura
Menke	Poffenberger	Smalley	

Amendment H—4363 was adopted.

Conlon of Muscatine offered the following amendment H—4431, to the committee amendment H—4325, filed by Conlon, West, Norland and Lura from the floor and moved its adoption:

H—4431

- 1 Amend the Committee amendment, H—4325, to Senate
- 2 File 494 as follows:
- 3 1. Page 1, line 10, by striking the words "on
- 4 or before May first of".
- 5 2. Page 1, line 12, by striking the comma and
- 6 inserting in lieu thereof a period.
- 7 3. Page 1, by striking lines 13 through 15 and
- 8 inserting in lieu thereof the words "In".
- 9 4. Page 1, by inserting after line 40 the follow-
- 10 ing:
- 11 " . Notwithstanding the computation of the

12 annual inflation factor under paragraph a of this
 13 subsection, the annual inflation factor is one hundred
 14 percent for any calendar year in which the unobligated
 15 state general fund balance on June thirtieth as
 16 certified by the state comptroller by September tenth
 17 of the fiscal year beginning in that calendar year
 18 is less than sixty million dollars."

19 5. Page 2, line 40, by striking the words "by
 20 May first of".

21 6. By lettering and relettering as required by
 22 this amendment.

Amendment H—4431 was adopted.

Crabb of Crawford asked and received unanimous consent to
 withdraw amendment H—4359 filed by Crabb, et al., on May 9, 1979:

Rapp of Black Hawk offered the following amendment H—4393,
 to the committee amendment H—4325, filed by Crabb, et al., and
 moved its adoption:

H—4393

1 Amend the Committee amendment, H—4325, to Senate
 2 File 494 as amended, passed and reprinted by the
 3 Senate as follows:

4 1. Page 1, by inserting after line 42 the
 5 following:

6 "Sec. . Section four hundred twenty-two point
 7 five (422.5), unnumbered paragraph six (6), Code 1979,
 8 is amended to read as follows:

9 A person who is disabled or is sixty-two years
 10 of age or older and receives an annuity or annuities
 11 from the United States civil service retirement and
 12 disability trust fund, and whose net income, as defined
 13 in section 422.7, is sufficient to require that the
 14 tax be imposed upon it under this section, may
 15 determine final taxable income for purposes of
 16 imposition of the tax by excluding the amount of an
 17 annuity or annuities received from the United States
 18 civil service retirement and disability trust fund,
 19 which are not already excluded in determining net
 20 income, as defined in section 422.7, up to a maximum
 21 each tax year of ~~four~~ five thousand two hundred fifty
 22 five hundred dollars for a person who files a separate
 23 state income tax return and ~~six~~ eight thousand ~~five~~
 24 hundred dollars total for a husband and wife who file
 25 a joint state income tax return. The amount of the
 26 exemption shall be reduced by the amount of any social
 27 security benefits received. For the purpose of this

28 section, the amount of an annuity or annuities received
29 from the United States civil service retirement and
30 disability trust fund taxable under the Internal
31 Revenue Code of 1954 shall be included in net income
32 for purposes of determining eligibility under the
33 four thousand dollar or less exclusion."

34 2. Page 1, line 50, by inserting after the word
35 "section" the words "and each dollar amount specified
36 in unnumbered paragraph six (6) of this section as
37 the maximum amount of annuities received which may
38 be excluded in determining final taxable income".

39 3. Page 2, line 6, by inserting after the figure
40 "(13)" the words and figure "and unnumbered paragraph
41 six (6)".

42 4. Page 3, line 4, by inserting after the word
43 "brackets" the words "and increasing and indexing
44 certain exclusions from income".

Amendment H-4393 was adopted.

Bruner of Story asked and received unanimous consent to withdraw the following amendments:

H-4310, to page 3 filed by Bruner of Story on May 7, 1979.

H-4358, to amendment H-4310, filed by Bruner of Story on May 9, 1979.

H-4355, to the committee amendment H-4325, filed by Bruner, et al., on May 9, 1979.

West of Marshall offered the following amendment H-4357, to the committee amendment H-4325, filed by West, et al., and moved its adoption:

H-4357

1 Amend the Committee on Ways and Means amendment,
2 H-4325, to Senate File 494, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 2, by inserting after line 16 the
5 following:
6 " . Page 2, line 2, by inserting after the word
7 "return" the words and figures "a surviving spouse
8 as defined in section two (2) of the Internal Revenue
9 Code of 1954, or an unmarried head of household as
10 defined in the Internal Revenue Code of 1954".

Amendment H-4357 was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—4362, to the committee amendment H—4325, filed by him on May 9, 1979.

On motion by Conlon of Muscatine, the committee amendment H—4325, as amended, was adopted.

Perkins of Greene asked and received unanimous consent to withdraw amendment H—4364 (to page 3) filed by him and Davitt of Warren on May 9, 1979.

Perkins of Greene offered the following amendment H—4432 filed by him and Davitt of Warren from the floor:

H—4432

1 Amend Senate File 494 as follows:

2 1. Page 3, by inserting after line 23 the
3 following:

4 "Sec. 5. Section four hundred fifty point four
5 (450.4), subsection one (1), Code 1979, is amended
6 to read as follows:

7 1. When the entire estate of the decedent does
8 not exceed the sum of ~~one~~ ten thousand dollars after
9 deducting the debts, as defined in this chapter.

10 Sec. 6. Section four hundred fifty point nine
11 (450.9), Code 1979, is amended to read as follows:

12 450.9 INDIVIDUAL EXEMPTIONS. In computing the
13 tax on the net estate passing to the surviving spouse,
14 heirs or beneficiaries of the deceased the following
15 credits or exemptions shall be allowed:

16 1. Surviving spouse, ~~eighty~~ one hundred twenty
17 thousand dollars.

18 2. Each son and daughter, including legally adopted
19 sons and daughters, or ~~illegitimate~~ sons and daughters
20 born out of wedlock entitled to inherit under the law
21 of this state, ~~thirty~~ sixty thousand dollars.

22 3. Father or mother, ~~ten~~ fifteen thousand dollars.

23 4. Any other lineal descendant of the deceased,
24 ~~ten~~ fifteen thousand dollars."

25 2. Page 6, line 8, by inserting after the figure
26 "1979" the words and figures "and the provisions of
27 sections five (5) and six (6) of this Act are effective
28 January first following their enactment for the estates
29 of decedents dying on or after the effective date
30 of those provisions".

31 3. Amend the title, line 5, by inserting after
32 the word "indexation," the words "and relating to

- 33 the state inheritance tax by increasing the amount
 34 of the estate under which no tax is owed, and
 35 increasing the personal exemptions.”
 36 4. By renumbering and correcting internal
 37 references as required by this amendment.

Conlon of Muscatine rose on a point of order that amendment H—4432 was not germane.

The Speaker ruled the point well taken and amendment H—4432 not germane.

Perkins of Greene moved that the rules be suspended to consider and adopt amendment H—4432.

Roll call was requested by Perkins of Greene and O’Kane of Woodbury.

Rule 80 was invoked.

On the question “Shall the rules be suspended to consider and adopt amendment H—4432?”

The ayes were, 44:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Cusack	Davitt	Dieleman	Gettings
Groth	Hall	Halvorson, R.N.	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Lloyd-Jones
Lonergeran	Miller	Norland	O’Kane
Oxley	Patchett	Pavich	Perkins
Rapp	Sherzan	Spear	Tyrrell
Walter	Wells	Welsh	Woods

The nays were, 53:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Daggett	Danker	De Groot
Diemer	Egenes	Evans	Halvorson, R.A.
Hansen, I.	Hanson, D.	Hibbs	Hoffmann
Holt	Hummel	Johnson, J.	Johnson, R.
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins

Pellett	Pelton	Poffenberger	Pope
Ritsema	Schnekloth	Shimanek	Shull
Smalley	Stromer	Swearingen	Thompson
Tofte	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 3:

Doyle	Harbor	Schroeder
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The motion lost.

West of Marshall offered the following amendment H—4346 filed by him and moved its adoption:

H—4346

- 1 Amend Senate File 494 as follows:
- 2 1. Page 3, line 28, by striking the word "to" and
- 3 inserting in lieu thereof the word "to".

Amendment H—4346 was adopted.

Miller of Buchanan offered amendment H—4323 filed by him and requested division as follows:

H—4323

- 1 Amend Senate File 494 as amended, passed and
- 2 reprinted by the Senate, as follows:

H—4323A

- 3 1. Page 4, line 31, by inserting after the word
- 4 "be" the words "held in escrow by the director of
- 5 revenue until after the canvass of the next succeeding
- 6 general election has verified whether any political
- 7 organizations in this state have gained or lost the
- 8 status of political parties as defined by section
- 9 forty-three point two (43.2) of the Code, and the
- 10 number of accounts maintained within the fund has
- 11 been adjusted accordingly. The accumulated
- 12 nondesignated contributions shall then be".

H—4323B

- 13 2. Page 5, by inserting after line 11 the
- 14 following:
- 15 "Sec. . Section fifty-six point twenty-two

- 16 (56.22), Code 1979, is amended to read as follows:
17 56.22 DISTRIBUTION OF CAMPAIGN FUND—RESTRICTIONS
18 ON USE.
- 19 1. The money accumulated in the Iowa election
20 campaign fund to the account of each political party
21 in the state shall be remitted to the party on the
22 first business day of each month by warrant of the
23 state comptroller drawn upon the fund in favor of
24 the state chairperson of that party. The money
25 received by each political party under this section
26 shall be used as directed by the party's state
27 statutory political committee, within the limitations
28 imposed by subsection two (2) of this section.
- 29 2. Funds distributed to statutory political
30 committees pursuant to this chapter shall not be used
31 to support or oppose the nomination of any candidate.
32 Nothing in this subsection shall be construed to
33 prohibit a statutory political committee from using
34 such funds to pay expenses incurred in arranging and
35 holding a nominating convention. Subject to the
36 foregoing limitations, money distributed to each state
37 statutory political committee shall be used as follows:
- 38 a. At least twenty-five percent shall be
39 distributed to candidates for the general assembly.
- 40 b. At least twenty-five percent shall be
41 distributed to candidates for state offices filled
42 by the voters of the entire state.
- 43 c. At least twenty-five percent shall be
44 distributed to candidates for federal offices filled
45 by voters of this state.
- 46 d. Not more than twenty-five percent may be
47 retained to help pay the costs of operating the state
48 statutory political committee's office and staff."

Miller of Buchanan moved the adoption of amendment
H—4323A.

A non-record roll call was requested.

The ayes were 28, nays 65.

Amendment H—4323A lost.

Miller of Buchanan moved the adoption of amendment
H—4323B.

Roll call was requested by Miller of Buchanan and Perkins of
Greene.

On the question "Shall amendment H — 4323B be adopted?"

The ayes were, 35:

Bina	Binneboese	Branstad	Byerly
Cusack	Daggett	Danker	De Groot
Dieleman	Diemer	Gettings	Groth
Hall	Hansen, I.	Holt	Horn
Hullinger	Husak	Johnson, J.	Johnson, R.
Johnson, W.	Lind	Lloyd-Jones	Maulsby
McKean	Menke	Miller	O'Kane
Patchett	Pavich	Pellett	Perkins
Spear	Van Maanen	Walter	

The nays were, 60:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Brandt	Bruner	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Corey	Crabb	Crawford	Davitt
Egenes	Evans	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Hinkhouse
Hoffmann	Howell	Hummel	Jay
Jesse	Jochum	Kirkenslager	Krewson
Lageschulte	Larsen	Lonergan	Lorenzen
Lura	Mullins	Norland	Oxley
Pelton	Poffenberger	Pope	Rapp
Ritsema	Schneklath	Sherzan	Shimanek
Shull	Smalley	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Welden
Wells	Welsh	West	Mr. Speaker

Absent or not voting, 5:

Chiodo	Connors	Doyle	Schroeder
Woods			

Amendment H — 4323B lost.

Conlon 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. 494)

The ayes were, 98:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt

Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, J.	Johnson, R.	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Larsen
Lind	Lloyd-Jones	Lonergan	Lorenzen
Lura	Maulsby	McKean	Menke
Miller	Mullins	Norland	O'Kane
Oxley	Patchett	Pavich	Pellett
Pelton	Perkins	Poffenberger	Pope
Rapp	Ritsema	Schnekloth	Schroeder
Sherzan	Shimanek	Shull	Smalley
Spear	Stromer	Swearingen	Thompson
Tofte	Tyrrell	Van Maanen	Walter
Weiden	Wells	Welsh	West
Woods	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Danker Doyle

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Appropriations Calendar

The House resumed consideration of **House File 765**, a bill for an act relating to the funding of substance abuse programs by appropriating funds to the Iowa department of substance abuse for administration and program grants, by making changes in chapter one hundred twenty-five (125) of the Code relating to substance abuse programs and the funding therefor, and by increasing certain taxes on beer and liquor sold in the state.

Cusack of Scott offered amendment H—4421 filed by him from the floor. Division was requested as follows:

H—4421

1 Amend House File 765 as follows:

H-4421A

- 2 1. Page 1, by striking line 23 and inserting in
 3 lieu thereof the following:
 4 "abuse program grants \$4,445,000 \$4,720,000".

H-4421B

- 5 2. Page 1, by striking lines 24 through 35.
 6 3. Page 2, by striking lines 1 through 31.
 7 4. Page 9, by striking lines 2 through 14.
 8 5. By renumbering as necessary.

Cusack of Scott asked and received unanimous consent to temporarily defer action on amendment H-4421A.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 15, which prohibits food from the House chamber while in session.

Cusack of Scott moved the adoption of amendment H-4421B.

A non-record roll call was requested.

Rule 80 was invoked.

The ayes were 55, nays 44.

Amendment H-4421B was adopted, placing the following amendments out of order:

H-4412 (to page 1) filed by Woods, et al., on May 10, 1979.

H-4413 (to page 2) filed by Welsh of Dubuque on May 10, 1979.

H-4415 (to page 2) filed by Spear of Lee on May 10, 1979.

Woods of Polk offered the following amendment H-4423 filed by him from the floor and moved its adoption:

H-4423

- 1 Amend House File 765 as follows:
 2 1. Page 1, by inserting after line 31, the
 3 following section:
 4 "Sec. . The state comptroller shall on July

5 1, 1979 transfer to and deposit in the general
 6 fund of the state four million five hundred thousand
 7 (4,500,000) dollars from the military service tax
 8 credit fund created in section four hundred twenty-
 9 six A point one (426A.1) of the Code. The state
 10 comptroller shall on July 1, 1980 transfer to and
 11 deposit in the general fund of the state two million
 12 (2,000,000) dollars from the military service tax
 13 credit fund created in section four hundred twenty-
 14 six A point one (426A.1) of the Code. It is the
 15 intent of the general assembly that funds transferred
 16 under this section be used to fund substance abuse
 17 programs under section one (1) of this Act."

Roll call was requested by Norland of Worth and Howell of
 Floyd.

Rule 80 was invoked.

On the question "Shall amendment H — 4423 be adopted?"

The ayes were, 50:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Corey	Cusack	Davitt	Dieleman
Gettings	Groth	Hall	Halvorson, R.N.
Hibbs	Hinkhouse	Horn	Howell
Hullinger	Jay	Jesse	Jochum
Johnson, R.	Kirkenslager	Larsen	Lloyd-Jones
Loneragan	Miller	Norland	O'Kane
Oxley	Patchett	Pavich	Pelton
Perkins	Poffenberger	Rapp	Sherzan
Spear	Swearingen	Walter	Wells
Welsh	Woods		

The nays were, 49:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Crabb	Crawford
Daggett	Danker	De Groot	Diemer
Egenes	Evans	Halvorson, R.A.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Husak	Johnson, J.	Johnson, W.
Krewson	Lageschulte	Lind	Lorenzen
Lura	Maulsby	McKean	Menke
Mullins	Pellet	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Shull
Smalley	Stromer	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

Absent or not voting, 1:

Doyle

Amendment H—4423 was adopted.

Cusack of Scott moved the adoption of amendment H—4421A.

Roll call was requested by Rapp of Black Hawk and Davitt of Warren.

Rule 80 was invoked.

On the question "Shall amendment H—4421A be adopted?"

The ayes were, 46:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Cochran	Connolly	Connors
Davitt	Dieleman	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Miller	Norland
O'Kane	Oxley	Patchett	Pavich
Perkins	Poffenberger	Rapp	Sherzan
Spear	Swearingen	Walter	Wells
Welsh	Woods		

The nays were, 52:

Anderson, J.	Bennett	Branstad	Clark, B.J.
Clark, J.H.	Conlon	Corey	Crabb
Crawford	Cusack	Daggett	Danker
De Groot	Diemer	Egenes	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lorenzen	Lura
Maulsby	McKean	Menke	Mullins
Pellett	Pelton	Pope	Ritsema
Schnekloth	Shimanek	Shull	Smalley
Stromer	Thompson	Tofte	Tyrrell
Van Maanen	Welden	West	Mr. Speaker

Absent or not voting, 2:

Doyle

Schroeder

Amendment H—4421A lost.

Bennett of Ida offered the following amendment H—4439 filed by him from the floor and moved its adoption:

H—4439

- 1 Amend House File 765 as follows:
- 2 1. Page 2, by striking lines 32 through 35.
- 3 2. By striking pages 3 through 8.
- 4 3. Page 9, by striking line 1.
- 5 4. Renumber as necessary.

Amendment H—4439 was adopted.

The following amendment H—4442, filed by Bennett of Ida from the floor, was adopted by unanimous consent:

H—4442

- 1 Amend House File 765 as follows:
- 2 1. Amend the title page, by striking lines
- 3 3 through 7 and inserting in lieu thereof the
- 4 following: "abuse for administration and program
- 5 grants and by providing for the transfer of certain
- 6 funds."

Bennett of Ida 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. 765)

The ayes were, 90:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Bruner	Byerly	Chiodo	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Connolly
Connors	Crabb	Crawford	Cusack
Daggett	Danker	Davitt	Dieleman
Diemer	Egenes	Evans	Gettings
Groth	Half	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Harbor	Hibbs
Hinkhouse	Hoffmann	Holt	Horn
Howell	Hullinger	Hummel	Husak
Jay	Jesse	Jochum	Johnson, J.
Johnson, R.	Kirkenslager	Krewson	Lageschulte
Larsen	Lind	Lloyd-Jones	Lonergan
Lorenzen	Maulsby	Menke	Miller
Mullins	Norland	O'Kane	Oxley

Patchett	Pavich	Pellett	Pelton
Perkins	Poffenberger	Pope	Rapp
Schneklath	Schroeder	Shimanek	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Tyrrell	Van Maanen
Walter	Welden	Wells	Welsh
West	Woods		

The nays were, 6:

Branstad	De Groot	Johnson, W.	Lura
McKean	Ritsema		

Absent or not voting, 4:

Corey	Doyle	Sherzan	Mr. Speaker
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File 499, a bill for an act relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments, increasing mileage reimbursement rates for public officers and employees, making coordinating amendments to the Code, and appropriating funds, with report of committee recommending passage was taken up for consideration.

Welden of Hardin offered amendment H—4435 filed by Welden, Evans, Hansen of O'Brien, Harbor, West and Stromer from the floor and requested division as follows:

H—4435

- 1 Amend Senate File 499 as amended, passed, and
- 2 reprinted by the Senate as follows:

H—4435A

- 3 1. Page 3, by striking lines 14 and 15.
- 4 2. Page 3, by striking line 17, and inserting
- 5 in lieu thereof the following:
- 6 "employment relations board \$32,000".
- 7 3. Page 3, by striking line 19 and inserting in
- 8 lieu thereof the following:
- 9 "employment relations board, each \$30,000".
- 10 4. Page 11, by striking lines 6 through 13 and inserting
- 11 in lieu thereof the following: "senate and house shall receive

12 an annual salary of ~~twelve~~ thirteen thousand dollars for each year
 13 while serving as a member of the general assembly. The majority
 14 and minority floor leaders of the senate and house shall receive
 15 an annual salary of ~~fourteen~~ fifteen thousand dollars for each
 16 year while serving in such capacity. In addition,"

17 5. Page 12, by striking lines 5 through 7 and inserting
 18 in lieu thereof the words "of ~~eighteen~~ nineteen thousand dollars.
 19 Personal expense and travel allowances shall be".

20 6. Page 12, by striking lines 20 through 22 and inserting in
 21 lieu thereof the words "of ~~eighteen~~ nineteen thousand dollars
 22 for each year while serving as the speaker of the house."

H-4435B

23 7. Page 13, by striking line 9 and inserting in lieu thereof
 24 the following:

25 "b. For the fiscal year
 26 beginning July 1, 1980 \$51,025,000".

27 8. Page 19, by striking lines 25 and 26 and
 28 inserting in lieu thereof the following: "mile.
 29 A statutory provision stipulating".

30 9. Page 27, by striking lines 22 and 23 and
 31 inserting in lieu thereof the following: "necessary
 32 travel. A statutory provision".

Halvorson of Clayton moved the previous question on amend-
 ments, amendments to amendments and motions thereto on Senate
 File 499.

A non-record roll call was requested.

The ayes were 52, nays 35.

The motion prevailed.

Pelton of Clinton offered the following amendment H-4438, to
 amendment H-4435A, filed by him from the floor and moved its
 adoption:

H-4438

1 Amend amendment H-4435 to Senate File 499 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:

4 1. Page 1, line 15 by striking the word
 5 "fifteen" and inserting in lieu thereof the word
 6 "sixteen".

A non-record roll call was requested.

The ayes were 38, nays 49.

Amendment H—4438 lost.

Welden of Hardin moved the adoption of amendment H—4435A.

A non-record roll call was requested.

The ayes were 20, nays 65.

Amendment H—4435A lost.

Further division of amendment H—4435B was requested, lines 23 through 29, amendment H—4435B; lines 30 through 32, amendment H—4435C.

Welden of Hardin moved the adoption of amendment H—4435B.

Roll call was requested by Welden of Hardin and Byerly of Polk.

Rule 80 was invoked.

On the question "Shall amendment H—4435B be adopted?"

The ayes were, 32:

Bennett	Branstad	Conlon	Corey
Daggett	De Groot	Diemer	Evans
Halvorson, R.A.	Hansen, I.	Hanson, D.	Harbor
Hoffmann	Holt	Johnson, J.	Johnson, R.
Lura	Maulsby	McKean	Menke
Miller	Pellett	Perkins	Ritsema
Smalley	Stromer	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West

The nays were, 62:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bina	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, B.J.	Clark, J.H.
Cochran	Cannolly	Connors	Crabb
Crawford	Cusack	Danker	Davitt
Dieleman	Egenes	Gettings	Groth
Hall	Halvorson, R.N.	Hibbs	Hinkhouse

Horn	Howell	Hullinger	Hummel
Jay	Jesse	Jochum	Johnson, W.
Kirkenslager	Krewson	Lageschulte	Lind
Lloyd-Jones	Lonerган	Lorenzen	Mullins
Norland	O'Kane	Oxley	Patchett
Pavich	Pelton	Poffenberger	Schneklath
Sherzan	Shimanek	Shull	Spear
Swearingen	Walter	Wells	Welsh
Woods	Mr. Speaker		

Absent or not voting, 6:

Doyle	Husak	Larsen	Pope
Rapp	Schroeder		

Amendment H—4435B lost.

Welden of Hardin asked and received unanimous consent to withdraw amendment H—4435C.

Woods of Polk asked and received unanimous consent to withdraw amendment H—4414 filed by Woods, et al., on May 10, 1979.

Byerly of Polk offered the following amendment H—4418 filed by him and Woods of Polk from the floor and moved its adoption:

H—4418

- 1 Amend Senate File 499 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, line 25, by striking the words
- 4 "from Polk county" and inserting in lieu thereof
- 5 the words "~~from Polk county~~ who commute from their
- 6 permanent residences on a regular basis".

Roll call was requested by Chiodo of Polk and Woods of Polk.

Under the provisions of Rule 81, Anderson of Jasper and Davitt of Warren refrained from voting.

On the question "Shall amendment H—4418 be adopted?"

The ayes were, 34:

Binneboese	Brandt	Byerly	Chiodo
Cochran	Conlon	Connolly	Connors
Crawford	Cusack	Doyle	Groth

Hall	Halvorson, R.N.	Hansen, I.	Holt
Horn	Hullinger	Jay	Jesse
Johnson, J.	Johnson, W.	Krewson	Lind
Lloyd-Jones	Menke	O'Kane	Sherzan
Shimanek	Shull	Tofte	Van Maanen
Wells	Woods		

The nays were, 56:

Anderson, J.	Arnould	Avenson	Bennett
Bina	Branstad	Clark, B.J.	Clark, J.H.
Corey	Crabb	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Evans	Gettings	Halvorson, R.A.	Hanson, D.
Harbor	Hibbs	Hoffmann	Howell
Hummel	Husak	Jochum	Johnson, R.
Kirkenslager	Lageschulte	Larsen	Loneran
Lorenzen	Lura	Maulsby	McKean
Miller	Mullins	Norland	Oxley
Pavich	Pellett	Pelton	Poffenberger
Pope	Ritsema	Schneklath	Smalley
Spear	Stromer	Swearingen	Tyrrell
Walter	Welsh	West	Mr. Speaker

Absent or not voting, 10:

Anderson, R.	Bruner	Davitt	Hinkhouse
Patchett	Perkins	Rapp	Schroeder
Thompson	Welden		

Amendment H—4418 lost.

Lageschulte of Bremer offered the following amendment H—4407 filed by him and moved its adoption:

H—4407

- 1 Amend Senate File 499, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking lines 1 through 35.
- 4 2. Page 12, by striking lines 1 through 29.
- 5 3. By renumbering sections as necessary pursuant
- 6 to this amendment.

Roll call was requested by Pope of Polk and Lageschulte of Bremer.

On the question "Shall amendment H—4407 be adopted?"

The ayes were, 41:

Anderson, J.	Bennett	Bina	Binneboese
Branstad	Byerly	Chiodo	Clark, B.J.
Conlon	Corey	Daggett	Danker
De Groot	Evans	Groth	Hansen, I.
Hinkhouse	Hoffmann	Horn	Husak
Johnson, J.	Johnson, W.	Lageschulte	Lorenzen
Lura	Maulsby	McKean	Menke
Pellett	Pope	Ritsema	Schnekloth
Sherzan	Smalley	Spear	Stromer
Thompson	Tyrrell	Van Maanen	Welden
Woods			

The nays were, 58:

Anderson, R.	Arnould	Avenson	Brandt
Bruner	Clark, J.H.	Cochran	Connolly
Connors	Crawford	Cusack	Davitt
Dieleman	Diemer	Doyle	Egenès
Gettings	Hall	Halvorson, R.A.	Halvorson, R.N.
Hanson, D.	Harbor	Hibbs	Holt
Howell	Hullinger	Hummel	Jay
Jesse	Jochum	Johnson, R.	Kirkenlager
Krewson	Larsen	Lind	Lloyd-Jones
Lonergan	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Schroeder	Shimanek	Shull	Swearingen
Tofte	Walter	Wells	Weish
West	Mr. Speaker		

Absent or not voting, 1:

Crabb

Amendment H—4407 lost.

Lageschulte of Bremer asked and received unanimous consent to withdraw amendment H—4411 filed by him on May 10, 1979.

Byerly of Polk offered the following amendment H—4440 filed by him and Woods of Polk from the floor and moved its adoption:

H—4440

- 1 Amend Senate File 499, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, line 25, by inserting after the word

4 "county" the words "and those members who commute
5 from their permanent residences on a regular basis".

A non-record roll call was requested.

The ayes were 28, nays 53.

Amendment H—4440 lost.

Tyrrell of Iowa offered the following amendment H—4400 filed by Tyrrell, et al.:

H—4400

1 Amend Senate File 499, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 12, by inserting after line 29, the
4 following sections:

5 "Sec. . Section ninety-seven B point forty-
6 one (97B.41), subsection one (1), paragraph a, Code
7 1979, is amended by striking unnumbered paragraph
8 two (2).

9 Sec. . Section ninety-seven B point forty-one
10 (97B.41), subsection two (2), Code 1979, is amended
11 to read as follows:

12 2. "Employment for any calendar quarter" means
13 any service performed under an employer-employee
14 relationship under the provisions of this chapter
15 if the remuneration equals or exceeds three hundred
16 dollars in the calendar quarter. For the purposes
17 of this chapter, elected officials, excluding members
18 of the general assembly, are deemed to be in
19 employment.

20 Sec. . Section ninety-seven B point forty-one
21 (97B.41), subsection three (3), paragraph b,
22 subparagraphs one (1) and two (2), Code 1979, are
23 amended to read as follows:

24 (1) Elective Members of the general assembly,
25 elective officials in positions for which the
26 compensation is on a fee basis, elective officials
27 of school districts, elective officials of townships,
28 and elective officials of other political subdivisions
29 who are in part-time positions, graduate medical
30 students while serving as interns or resident doctors
31 in training at any hospital, or county medical
32 examiners and deputy county medical examiners under
33 chapter 339.
34 (2) Members of the general assembly of Iowa and
35 temporary Temporary employees of the general assembly
36 of Iowa unless such members or employees shall make

37 an application to the department to be covered under
38 the provisions of this chapter.

39 Sec. . Section ninety-seven B point seventy-
40 two (97B.72), Code 1979, is repealed.

41 Sec. . The department of job service shall
42 return accumulated employee contributions made to
43 the Iowa public employees' retirement system by members
44 of the general assembly to the respective members
45 of the general assembly and shall return employer
46 contributions plus interest and dividends made to
47 the Iowa public employees' retirement system for
48 members of the general assembly to the treasurer of
49 state for deposit in the general fund of the state."

50 2. Page 31, by inserting after line 17 the following.

Page 2

1 section.

2 "Sec. . The sections of this Act amending
3 chapter ninety-seven B (97B) of the Code shall take
4 effect upon publication and be retroactive to January
5 8, 1979 after its publication in The Cedar Rapids
6 Gazette, a newspaper published in Cedar Rapids, Iowa,
7 and in the Iowa City Press-Citizen, a newspaper
8 published in Iowa City, Iowa."

9 3. By numbering and renumbering sections and
10 correcting internal references as necessary.

Cochran of Webster rose on a point of order that amendment
H—4400 was not germane.

The Speaker ruled the point well taken and amendment
H—4400 not germane.

Tyrrell of Iowa moved to suspend the rules for the consideration
of amendment H—4400.

Roll call was requested by Johnson of Howard and Tyrrell of
Iowa.

On the question "Shall the rules be suspended to consider
amendment H—4400?"

The ayes were, 33:

Anderson, J.
Clark, B.J.
Daggett

Bennett
Conlon
De Groot

Branstad
Corey
Hanson, D.

Byerly
Crabb
Hibbs

Hinkhouse	Holt	Hummel	Husak
Johnson, J.	Johnson, W.	Lageschulte	Lorenzen
Lura	Maulsby	McKean	Mullins
Pellett	Pelton	Ritsema	Schneklath
Smalley	Spears	Stromer	Tyrrell
Van Maanen			

The nays were, 62:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Chiodo
Cochran	Connolly	Connors	Crawford
Cusack	Davitt	Dieleman	Diemer
Doyle	Egeşes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Harbor	Hoffmann	Horn
Howell	Hullinger	Jay	Jesse
Jochum	Johnson, R.	Krewson	Larsen
Lind	Lloyd-Jones	Loneragan	Menke
Miller	Norland	O'Kane	Oxley
Patchett	Pavich	Perkins	Poffenberger
Pope	Schroeder	Sherzan	Shimaneck
Shull	Swearingen	Tofte	Walter
Welden	Wells	Welsh	West
Woods	Mr. Speaker		

Absent or not voting, 5:

Clark, J.H.	Danker	Kirkenslager	Rapp
Thompson			

The motion lost.

Welden of Hardin offered the following amendment H-4436 filed by Welden, Miller, Evans, Hansen of O'Brien, Harbor and West from the floor and moved its adoption:

H-4436

- 1 Amend Senate File 499, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 21, by inserting after line 29 the
- 4 following:
- 5 "Sec. . Section twenty point twenty-eight
- 6 (20.28), Code 1979, is amended to read as follows:
- 7 20.28 INCONSISTENT STATUES—EFFECT. A provision
- 8 of the Code which is inconsistent with any term or
- 9 condition of a collective bargaining agreement which
- 10 is made final under this chapter shall supersede the
- 11 term or condition of the collective bargaining
- 12 agreement unless otherwise provided by the general

- 13 assembly. A provision of a proposed collective
 14 bargaining agreement negotiated according to this
 15 chapter which conflicts with the Code shall not become
 16 a provision of the final collective bargaining
 17 agreement until the general assembly has amended the
 18 Code to remove the conflict."
 19 2. By numbering and renumbering sections and
 20 correcting internal references to conform to this
 21 amendment.

Roll call was requested by Welden of Hardin and Smalley of Polk.

On the question "Shall amendment H — 4436 be adopted?"

The ayes were, 60:

Anderson, J.	Anderson, R.	Bennett	Clark, B.J.
Clark, J.H.	Cochran	Conlon	Corey
Crabb	Crawford	Daggett	Danker
De Groot	Dieleman	Diemer	Egenes
Evans	Halvorson, R.A.	Halvorson, R.N.	Hansen, I.
Hanson, D.	Harbor	Hoffmann	Holt
Hummel	Husak	Jay	Johnson, J.
Johnson, R.	Johnson, W.	Krewson	Lageschulte
Larsen	Lind	Lura	Mausby
McKean	Menke	Miller	Mullins
Pellett	Pelton	Perkins	Poffenberger
Pope	Ritsema	Schnekloth	Schroeder
Shimanek	Shull	Smalley	Spear
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Welden	West	Mr. Speaker

The nays were, 37:

Arnould	Avenson	Bina	Binneboese
Brandt	Branstad	Bruner	Byerly
Chiodo	Connolly	Connors	Cusack
Davitt	Doyle	Gettings	Groth
Hall	Hibbs	Hinkhouse	Horn
Howell	Jesse	Jochum	Kirkenslager
Lloyd-Jones	Lonergan	Lorenzen	Norland
O'Kane	Oxley	Pavich	Rapp
Sherzan	Walter	Wells	Welsh
Woods			

Absent or not voting, 3:

Hullinger	Patchett	Tyrrell
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Amendment H — 4436 was adopted.

Byerly of Polk asked and received unanimous consent to be recorded as voting "nay" on amendment H—4436, and the vote was so recorded.

Stromer of Hancock offered the following amendment H—4419 filed by him from the floor and moved its adoption:

H—4419

- 1 Amend Senate File 499, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 30, by striking lines 18 through 26.

Roll call was requested by Stromer of Hancock and Tofte of Winneshiek.

On the question "Shall amendment H—4419 be adopted?"

The ayes were, 41:

Anderson, J.	Bennett	Branstad	Conlon
Corey	Danker	De Groot	Diemer
Egènes	Halvorson, R.A.	Hansen, I.	Hanson, D.
Hoffmann	Holt	Hummel	Johnson, J.
Johnson, W.	Lura	Maulsby	McKean
Menke	Miller	Norland	Pellett
Pelton	Perkins	Pope	Ritsema
Schnekloth	Schroeder	Shimanek	Smalley
Stromer	Swearingen	Thompson	Tofte
Tyrrell	Van Maanen	Welden	West
Mr. Speaker			

The nays were, 55:

Anderson, R.	Arnould	Avenson	Bina
Binneboese	Brandt	Bruner	Byerly
Chiodo	Clark, B.J.	Clark, J.H.	Cochran
Connolly	Connors	Crawford	Cusack
Daggett	Davitt	Dieleman	Doyle
Evans	Gettings	Groth	Hall
Halvorson, R.N.	Harbor	Hibbs	Hinkhouse
Horn	Howell	Hullinger	Husak
Jay	Jesse	Jochum	Kirkenslager
Krewson	Lageschulte	Larsen	Lloyd-Jones
Loneragan	Lorenzen	Mullins	O'Kane
Oxley	Patchett	Pavich	Poffenberger
Rapp	Sherzan	Shull	Spear
Walter	Wells	Welsh	

Absent or not voting, 4:

Crabb

Johnson, R.

Lind

Woods

Amendment H—4419 lost.

Miller of Buchanan offered amendment H—4434 filed by him from the floor:

H—4434

1 Amend Senate File 499 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 31, by inserting after line 4 the
4 following:
5 "Sec. . NEW SECTION. A supervisory member
6 of any department or agency employed by the state
7 of Iowa shall not be granted a voluntary reduction
8 to a nonsupervisory rank or grade during the twelve
9 months preceding retirement of the member. A member
10 of any department or agency employed by the state
11 of Iowa who retires in less than twelve months after
12 voluntarily requesting and receiving a reduction in
13 rank or grade from a supervisory to a nonsupervisory
14 position shall be ineligible for a benefit to which
15 the member is entitled as a nonsupervisory member
16 but is not entitled as a supervisory member.
17 Bargaining agreements shall be at least equal between
18 supervisory and nonsupervisory personnel."

Connors of Polk offered the following amendment H—4441; to amendment H—4434, filed by him from the floor and moved its adoption:

H—4441

1 Amend the amendment H—4434, to Senate File 499,
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, line 8, by striking the word "twelve"
5 and inserting in lieu thereof the word "six".
6 2. Page 1, line 11, by striking the word
7 "twelve" and inserting in lieu thereof the word "six".
8 3. Page 1, after line 18 by inserting the
9 following new sentence:
10 "The provisions of this section shall be
11 effective during the collective bargaining agree-
12 ment in effect from July 1, 1979 through June 30,
13 1981."

Amendment H—4441 was adopted.

Halvorson of Clayton asked and received unanimous consent to suspend the rules for the consideration of the following amendment H—4443, to amendment H—4434, filed by Pope of Polk from the floor:

H—4443

- 1 Amend amendment H—4434 to senate File 499 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 17 and 18.

On motion by Pope of Polk, amendment H—4443 was adopted.

On motion by Miller of Buchanan, amendment H—4434, as amended, 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?" (S.F. 499)

The ayes were, 79:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Binneboese	Brandt	Bruner
Byerly	Chiodo	Clark, J.H.	Cochran
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Davitt
Dieleman	Diemer	Doyle	Egenes
Evans	Gettings	Groth	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hibbs	Hinkhouse	Hoffmann
Holt	Horn	Howell	Hullinger
Hummel	Husak	Jay	Jesse
Jochum	Johnson, R.	Kirkenslager	Krewson
Larsen	Lind	Lloyd-Jones	Lonergan
McKean	Miller	Mullins	Norland
O'Kane	Oxley	Patchett	Pavich
Pelton	Perkins	Poffenberger	Rapp
Schroeder	Sherzan	Shimanek	Shull
Stromer	Swearingen	Thompson	Tofte
Walter	Welden	Wells	Welsh
West	Woods	Mr. Speaker	

The nays were, 19:

Bina	Clark, B.J.	Conlon	Danker
De Groot	Johnson, J.	Johnson, W.	Lageschulte
Lorenzen	Maulsby	Menke	Pellett
Pope	Ritsema	Schnekloth	Smalley
Spear	Tyrrell	Van Maanen	

Absent or not voting, 2:

Branstad Lura

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

UNANIMOUS CONSENT TO VOTE

Daggett of Taylor, Woods of Polk and Chiodo of Polk asked and received unanimous consent to be recorded as voting "aye" on Senate File 499, and the vote was so recorded.

INTRODUCTION OF BILL

House File 767, by Halvorson of Clayton and Avenson, a bill for an act legalizing the execution of the contract for the construction of the state vocational rehabilitation building.

Read first time and **passed on file**.

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 on May 11, 1979, adopted the conference committee report and the amendments contained therein and passed Senate File 388, a bill for an act relating to the regulation, sale and use of certain beverage containers.

FRANK J. STORK, Secretary

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 388)

Evans of Grundy called up for consideration the report of the conference committee on Senate File 388 filed May 11 as follows and

moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 388

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 Senate File 388, a bill for an act to regulate the sale and use of certain beverage containers by prohibiting a manufacturer from requiring a distributor to pay to a manufacturer a refund value or deposit on a nonrefillable beverage container; prohibiting the importation of certain quantities of beverage containers not having a refund value indication as required by chapter four hundred fifty-five C (455C) of the Code; prescribing penalties for violations of departmental rules, the multiple redemption of nonrefillable beverage containers by a distributor, and certain acts and practices defined as fraudulent; authorizing distributors to cooperate and coordinate their business operations to carry out the purposes of chapter four hundred fifty-five C (455C) of the Code; and by authorizing a phaseout for containers not having a refund value indication for the period from July 1, 1979 through July 31, 1979, respectfully makes the following report:

1. That the House recedes from its amendment, S-3531 to Senate File 388, as amended, passed and reprinted by the Senate.

2. That Senate File 388, as amended, passed and reprinted by the Senate be amended as follows:

1. Page 1, line 9, by striking the word "subsections" and inserting in lieu thereof the word "subsection".

2. Page 1, by striking lines 13 through 17.

3. Page 3, by inserting after line 19 the following:

"Sec. 6. Chapter four hundred fifty-five C (455C), Code 1979, is amended by adding the following new section:

NEW SECTION. REDEMPTION OF REFUSED NONREFILLABLE METAL BEVERAGE CONTAINERS.

1. If the refund value indication required under section four hundred fifty-five C point five (455C.5) of the Code on an empty nonrefillable metal beverage container is readable but the redemption of the container is lawfully refused by a dealer or person operating a redemption center under other sections of this chapter or rules adopted pursuant to these sections, the container shall be accepted and the refund value paid to a consumer as provided in this section. Each beer distributor selling nonrefillable metal beverage containers in this state shall provide individually or collectively by contract or agreement with a dealer, person operating a redemption center or another person, at least one facility in the county seat of each county where refused empty

nonrefillable metal beverage containers having a readable refund value indication as required by this chapter are accepted and redeemed. In cities having a population of twenty-five thousand or more, the number of the facilities provided shall be one for each twenty-five thousand population or a fractional part of that population.

2. A beer distributor violating this section is guilty of a simple misdemeanor."

4. By striking page 3, line 33 through page 4, line 2 and inserting in lieu thereof the following:

"Sec. . Section six (6) of this Act is effective July 1, 1980."

5. By numbering and renumbering sections and correcting internal references to conform to this amendment.

6. Amend the title by striking lines 1 through 16 and inserting in lieu thereof the following: "An act relating to the importation, sale and redemption of certain beverage containers and providing penalties."

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

COOPER EVANS, Chair
 LYLE R. KREWSON
 SONJA LARSEN
 ROLLIN K. HOWELL
 CARROLL PERKINS

STEPHEN W. BIENIUS, Chair
 RICHARD F. DRAKE
 EDGAR H. HOLDEN
 NORMAN RODGERS

The motion prevailed and the conference committee report was adopted.

Evans 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.

On the question "Shall the bill pass?" (S.F. 388)

The ayes were, 92:

Anderson, J.	Anderson, R.	Arnould	Avenson
Bennett	Bina	Binneboese	Brandt
Branstad	Bruner	Byerly	Chiodo
Clark, B.J.	Clark, J.H.	Cochran	Conlon
Connolly	Connors	Corey	Crabb
Crawford	Cusack	Daggett	Danker
Davitt	De Groot	Dieleman	Diemer
Doyle	Egenes	Evans	Gettings
Groth	Hall	Halvorson, R.A.	Halvorson, R.N.
Hansen, I.	Hanson, D.	Hibbs	Hinkhouse
Hoffmann	Holt	Horn	Howell
Hummel	Husak	Jay	Jesse

Jochum	Johnson, J.	Johnson, W.	Kirkenslager
Krewson	Lageschulte	Larsen	Lind
Lloyd-Jones	Lonerган	Lorenzen	Lura
McKean	Menke	Miller	Mullins
Norland	O'Kape	Oxley	Patchett
Pavich	Pellett	Pelton	Perkins
Poffenberger	Pope	Rapp	Schneklath
Schroeder	Sherzan	Shimaneк	Shull
Smalley	Spear	Stromer	Swearingen
Thompson	Tofte	Van Maanen	Walter
Wells	Welsh	West	Mr. Speaker

The nays were, 4:

Johnson, R.	Maulsby	Tyrrell	Woods
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Absent or not voting, 4:

Harbor	Hullinger	Ritsema	Welden
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT TO VOTE

Thompson of Polk and Menke of O'Brien asked and received unanimous consent to be recorded as voting "aye" on Senate File 388 and the votes were so recorded.

ADOPTION OF SENATE CONCURRENT RESOLUTION 14

Halvorson of Clayton called up for consideration Senate Concurrent Resolution 14, relating to interim studies, filed on April 9, 1979 and found on pages 1428 and 1429 of the House Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE FILE 721 WITHDRAWN

Clark of Cerro Gordo asked and received unanimous consent to withdraw House File 721 from further consideration by the House.

HOUSE FILE 344 WITHDRAWN

Hansen of O'Brien asked and received unanimous consent to withdraw House File 344 from further consideration by the House.

Halvorson of Clayton asked for unanimous consent for the immediate consideration of House File 767.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended for the immediate consideration of House File 767.

A non-record roll was requested.

The ayes were 53, nays 35.

The motion prevailed and **House File 767**, a bill for an act legalizing the execution of the contract for the construction of the state vocational rehabilitation building, was taken up for consideration.

Halvorson 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?" (H.F. 767)

The ayes were, 54:

Avenson	Bennett	Binneboese	Brandt
Clark, B.J.	Clark, J.H.	Conlon	Corey
Crabb	Crawford	Daggett	Dieleman
Diemer	Egenes	Evans	Hall
Halvorson, R.A.	Halvorson, R.N.	Hansen, I.	Hanson, D.
Harbor	Hinkhouse	Hoffmann	Horn
Howell	Hummel	Jesse	Jochum
Johnson, W.	Kirkenslager	Krewson	Lageschulte
Lind	Lura	Menke	Miller
Mullins	Norland	Oxley	Pavich
Pellett	Poffenberger	Pope	Spear
Stromer	Swearingen	Thompson	Tofte
Van Maanen	Welden	Wells	Weish
West	Mr. Speaker		

The nays were, 44:

Anderson, J.	Anderson, R.	Arnould	Bina
Branstad	Bruner	Byerly	Chiodo
Cochran	Connolly	Connors	Cusack
Danker	Davitt	De Groot	Doyle
Gettings	Groth	Hibbs	Holt
Hullinger	Husak	Jay	Johnson, J.

Johnson, R.	Larsen	Lloyd-Jones	Lonergan
Lorenzen	Maulsby	McKean	O'Kane
Pelton	Perkins	Rapp	Ritsema
Schnekloth	Sherzan	Shimanek	Shull
Smalley	Tyrrell	Walter	Woods

Absent or not voting, 2:

Patchett	Schroeder
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 767)

Halvorson of Clayton asked and received unanimous consent that House File 767 be immediately messaged to the Senate.

ADOPTION OF HOUSE RESOLUTION 38

Pursuant to House Rule 31, Halvorson of Clayton asked and received unanimous consent that the rules be suspended and House Resolution 38, posthumously commending Mrs. Norma Rehder of Waterloo for her service to the people of Iowa, filed on May 2, 1979 and found on pages 1997 and 1998 of the House Journal, be adopted by unanimous consent.

ADOPTION OF HOUSE RESOLUTION 40

Pursuant to House Rule 31, Halvorson of Clayton asked and received unanimous consent that the rules be suspended and House Resolution 40, congratulating the city of Algona on their one hundred twenty-fifth anniversary, filed on May 8, 1979 and found on pages 2143 and 2144 of the House Journal, be adopted by unanimous consent.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 32

Pursuant to House Rule 31, Halvorson of Clayton asked and received unanimous consent that the rules be suspended and House Concurrent Resolution 32, requesting an interim study of utility rate structure in Iowa, filed on May 10, 1979 and found on page 2336 of the House Journal, be adopted by unanimous consent.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 33

Halvorson of Clayton asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 33 filed from the floor as follows and moved its adoption:

HOUSE CONCURRENT RESOLUTION 33 By Halvorson of Clayton and Avenson

- 1 *Be It Resolved by The House of Representatives,*
- 2 *The Senate Concurring; That when adjournment is had*
- 3 *on Friday, May 11, 1979, it be the final adjournment*
- 4 *of the 1979 Regular Session of the Sixty-eighth*
- 5 *General Assembly.*

The motion prevailed and the resolution was adopted.

REPORT OF HOUSE ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 5, your committee on administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leader's Administrative Assistant	Michael McVey	26-1 to 27-1	P-FT	5/11/79
Leader's Administrative Assistant	Mark Brandsgard	26-4 to 27-4	P-FT	5/11/79
Caucus Staff Director	Joseph J. O'Hern	30-6 to 30-7	P-FT	5/11/79
Research Analyst	Rand Fisher	23-1 to 24-1	P-FT	5/11/79
Research Analyst	Sandra L. Githens	25-6 to 26-6	I-FT	5/11/79
Research Analyst	Ronda Roberts	23-1 to 24-1	P-FT	5/11/79
Research Analyst	M.L. Triggs	24-4 to 25-4	P-FT	5/11/79
Research Analyst	Benjamin S. Webb	23-1 to 24-1	P-FT	5/11/79
Research Analyst	Barbara Winters	23-2 to 25-3	P-FT	5/11/79
Research Analyst	Merlie Howell	23-2 to 24-2	P-FT	5/11/79
Research Analyst	Bradley Kading	23-2 to 24-2	P-FT	5/11/79

Research Analyst	Linda King	24-5 to 25-5	I-FT	5/11/79
Research Analyst	Richard Norland	24-3 to 25-3	P-FT	5/11/79
Assistant Journal Editor	Vivian Anders	19-3 to 19-4	P-FT	3/02/79
Public Information Office Director	Patricia A. Barry	26-2 to 26-3	P-FT	5/25/79
Executive Secretary to Speaker	Janet S. Clayton	23-2 to 23-3	P-FT	5/25/79
Compositor	Carol S. Edwards	17-4 to 17-5	P-FT	5/11/79
Aide to Public Information Office	Rebecca Haughton	\$2.90 per Hour	I-PT	3/01/79
Research Analyst	Rand Fisher	24-1 to 24-2	P-FT	6/08/79
Research Analyst	Merlie Howell	24-2 to 24-3	P-FT	6/08/79
Leader's Administra- tive Assistant	Michael McVey	27-1 to 27-2	P-FT	6/08/79
Research Analyst	William Maloney	27-5 to 27-6	P-FT	3/16/79
Research Analyst	Ronda Roberts	24-1 to 24-2	P-FT	6/08/79
Doorkeeper	Gustaf Adamson	9-2 9-3	I-FT	3/30/79
Switchboard Operator	Beverly A. Baker	13-1 to 13-2	I-FT	3/02/79
Doorkeeper	Luman Bell	9-3 to 9-4	I-FT	3/30/79
Supply Clerk	Ann A. McCarty	15-5 to 15-6	I-FT	4/13/79
Switchboard Operator	Rosemary Massman	13-4	I-FT	1/08/79
Doorkeeper	Harold Missman	9-3	I-FT	1/08/79
Postmaster	Mildred M. Weber	10-1 to 10-2	I-FT	1/19/79

MR. SPEAKER: Your committee on House administration reports the following resignations from the officers and employees of the House:

Assistant to Public Information Office Director	Steven M. Tracy	5/11/79
Aide to Public Information Office	Howard Girovich	2/07/79
Aide to Public Information Office	Barbara G. Sink	3/01/79
Swing Clerk	Alta Overton	3/15/79

DAGGETT of Taylor, Chair

SPONSOR WITHDRAWN
(Amendment H—4400 to Senate File 499)

Bruner of Story requested to be withdrawn as a sponsor of amendment H—4400 to Senate File 499.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-four fifth grade students from Semco Elementary School, Laurel, Iowa, accompanied by Ruth Jones and Keith Augsburger. By West of Marshall.

Thirty-four sixth grade students from Orient-Macksburg Elementary School, Orient, Iowa, accompanied by Mrs. Weishaar and Mr. Shallenberger. By Davitt of Warren.

Fifty fourth grade students from Oskaloosa Community School, Oskaloosa, Iowa, accompanied by Carole Hasselman and Colleen Blanchard. By Van Maanen of Mahaska.

Forty-one fifth grade students from Chapin Middle School, Chapin, Iowa, accompanied by Mrs. Betty Rohn. By Welden of Hardin.

One hundred ninth grade students from Carlisle Community High School, Carlisle, Iowa, accompanied by Linda Blazicek and Gary Sinclair. By Anderson of Jasper.

Fifty fifth and sixth grade students from Lakeside Elementary School, Middle Amana, Iowa, accompanied by Mrs. Beverly Merritt. By Tyrrell of Iowa.

EXPLANATION OF VOTE

Because of my responsibilities as a member of the Board of Trustees of the Davenport Municipal Art Gallery, I was necessarily absent on March 9 and March 12. Had I been present, I would have voted "aye" on suspension of rules to consider amendment H—3307 to House File 650, amendment H—3302 to House File 650, amendment H—3319 to House File 650, motion to rerefer House File 650,

amendment H—3361A to House File 450, House Files 450, 669, 650, 148, 304, 198, 374, 471, 395, 462, 460, 387, 418, 468 and Senate Files 70, 211 and 299. I would have voted “nay” on the motion to defer and retain House File 418.

BINA of Scott

COMMUNICATIONS

The 1978 Summary Report of the Legislative Environmental Advisory Group has been received and is on file in the office of the Chief Clerk.

A report entitled “TransPlan '79” from the Iowa Department of Transportation has been received and is on file in the office of the Chief Clerk.

The Forty-second Annual Report of the Iowa Department of Job Service has been received and is on file in the office of the Chief Clerk.

SUBCOMMITTEE ASSIGNMENTS

Senate File 362

Appropriations: West, Chair; Hansen of O'Brien and Jesse.

Senate File 489

Appropriations: Hansen of O'Brien, Chair; Stromer and Byerly.

Senate File 494

Ways and Means: Conlon, Chair; Lura, Diemer, Shull, Chiodo, Davitt and Cochran.

AMENDMENTS FILED

H—4420

H.F. 759

Miller of Buchanan

H—4428

H.F. 759

Cochran of Webster

On motion by Halvorson of Clayton, the House was recessed at 3:41 p.m. until the fall of the gavel.

The House reconvened, Speaker 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 following technical correction was made in the title to House File 2: The word "three" was changed to "two" in order to conform the title to the substance of the bill as amended by the Senate on April 25, 1979, and concurred in by the House on May 2, 1979.

Also: That the Senate has on May 11, 1979, 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 658, a bill for an act to authorize real property loans secured by alternative mortgage instruments.

Also: That the Senate has on May 11, 1979, 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 660, a bill for an act relating to the financing of elementary and secondary schools, including computation of budget enrollment and providing guaranteed budget growth.

Also: That the Senate has on May 11, 1979, adopted the conference committee report and the amendments contained therein and passed House File 671, a bill for an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds and creating a family farm guaranteed loan program.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 676, a bill for an act relating to the sales, service, and use tax by imposing the service tax on all parking facilities, exempting from the tax the gross receipts from laboratory tests on human beings and providing for a refund.

Also: That the Senate has on May 11, 1979, adopted the conference committee report and the amendments contained therein and passed House File 723, a bill for an act relating to access to certain sealed records for the purpose of locating county of birth by an adult adopted person.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 745, a bill for an act relating to the administration of the motor fuel and special fuel laws.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 749, a bill for an act making an appropriation to establish a juvenile victim restitution program.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 750, a bill for an act to legalize and validate the proceedings of the city of Keokuk in connection with the vacation of the alley in Block Ten.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 751, a bill for an act to legalize proceedings taken by the city of Bellevue relating to the letting of certain contracts.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 752, a bill for an act to legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 753, a bill for an act to legalize the proceedings of the park board of the city of Monticello, Iowa in connection with the letting of certain contracts.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 754, a bill for an act relating to the responsibilities of the department of social services' division of adult corrections for administration of the interstate corrections compact, for determinations regarding admission and discharge of patients of the security medical facility.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 755, a bill for an act relating to the administration and financing of current programs under the jurisdiction of the department of social services.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 756, a bill for an act allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation or to individuals who hold an interest in a horizontal property regime.

Also: That the Senate has on May 11, 1979, 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 757, a bill for an act relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 762, a bill for an act to legalize proceedings taken by the city of Indianola relating to the letting of certain contracts.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 763, a bill for an act to legalize proceedings taken by the city of Calmar relating to the letting of certain contracts.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 764, a bill for an act making appropriations for capital projects.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 765, a bill for an act relating to the funding of substance abuse programs by appropriating funds to the department of substance abuse for administration and program grants.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 766, a bill for an act to make an additional appropriation to the department of social services for the aid to dependent children program during the first quarter of the fiscal year beginning July 1, 1979.

Also: That the Senate has on May 11, 1979, passed the following bill in which the concurrence of the Senate was asked:

House File 767, a bill for an act legalizing the execution of the contract for the construction of the state vocational rehabilitation building.

Also: That the Senate has on February 22, 1979, concurred in the House amendment and passed the following joint resolution in which the concurrence of the Senate was asked:

Senate Joint Resolution 1, requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses or, on the application of the legislatures

of two-thirds of the several states, calling a constitutional convention to propose an amendment to the federal Constitution to require, with certain exceptions, that the federal budget be balanced.

Also: That the Senate has on May 11, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 1, a bill for an act allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies.

Also: That the Senate has on May 11, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 277, a bill for an act relating to separation distances of anaerobic lagoons used in animal feeding operations.

Also: That the Senate has on May 11, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 489, a bill for an act relating to administration and benefits of certain public retirement systems.

Also: That the Senate has on May 11, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 494, a bill for an act relating to state individual income tax by increasing the minimum filing requirements, increasing the standard deductions and providing an interim study.

Also: That the Senate has on May 11, 1979, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 499, a bill for an act relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments.

Also: That the Senate has on May 11, 1979, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 33, providing for the final adjournment of the 1979 Session of the Sixty-eighth General Assembly.

FRANK J. STORK, Secretary

The House stood at ease until the fall of the gavel.

The House resumed session, Speaker Millen in the chair.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 11th day of May, 1979: House Files 2, 148, 172, 174, 418, 421, 460, 647, 649, 650, 658, 659, 660, 662, 669, 670, 671, 672, 676, 679, 680, 706, 719, 723, 725, 734, 735, 737, 738, 742, 745, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 762, 763, 764, 765, 766 and 767.

DAVID L. WRAY
Chief Clerk of the House

Report adopted.

APPOINTMENTS OF 1979—1980 LEGISLATIVE COUNCIL

Speaker Floyd H. Millen, Chair
Senator Calvin O. Hultman, Vice-Chair
Lieutenant Governor Terry Branstad, Ex Officio Member

Senator James E. Briles	Representative Robert T. Anderson
Senator C. Joseph Coleman	Representative Donald D. Avenson
Senator Willard R. Hansen	Representative John H. Clark
Senator Lowell Junkins	Representative Gregory D. Cusack
Senator John Murray	Representative Roger A. Halvorson
Senator William Palmer	Representative William H. Harbor
Senator Richard R. Ramsey	Representative Norman G. Jesse
Senator Bob Rush	Representative Delwyn Stromer
Senator Ray Taylor	Representative Richard W. Welden

COMMITTEES OF THE LEGISLATIVE COUNCIL**LEGISLATIVE ADMINISTRATION COMMITTEE**

Senator Calvin O. Hultman, Chair	Representative Donald D. Avenson
Senator James E. Briles	Representative John H. Clark
Senator Lowell Junkins	Representative Roger A. Halvorson

LEGISLATIVE FISCAL COMMITTEE

Senator Stephen W. Bisenius	Representative Richard Welden, Chair
Senator John Murray	Representative Gregory D. Cusack
Senator William Palmer	Representative Roger A. Halvorson
Senator John D. Scott	Representative Kenneth D. Miller
Senator Ray Taylor	Representative James C. West

LEGISLATIVE SERVICE COMMITTEE

Senator Willard R. Hansen
 Senator John Murray
 Senator Bob Rush

Representative William Harbor, Chair
 Representative Gregory D. Cusack
 Representative Delwyn Stromer

LEGISLATIVE STUDIES COMMITTEE

Senator Calvin O. Hultman, Co-Chair
 Representative Roger A. Halvorson, Co-Chair

Senator Richard R. Ramsey
 Senator Ray Taylor
 Senator Lowell Junkins
 Senator C. Joseph Coleman

Representative Floyd H. Millen
 Representative John H. Clark
 Representative Donald D. Avenson
 Representative Norman G. Jesse

COMMITTEE TO NOTIFY THE GOVERNOR

Welden of Hardin moved that a committee of three be appointed to notify the Governor that the House was ready to adjourn in accordance with House Concurrent Resolution 33.

The motion prevailed and the Speaker appointed as such committee: Welden of Hardin, Connors of Polk and Kirkenlager of Des Moines.

COMMITTEE TO NOTIFY THE SENATE

Crabb of Crawford moved that a committee of three be appointed to notify the Senate that the House was ready to adjourn in accordance with House Concurrent Resolution 33.

The motion prevailed and the Speaker appointed as such committee: Crabb of Crawford, Miller of Buchanan and Van Maanen of Mahaska.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senate that the House was ready to adjourn 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 returned and reported it had performed its duty and the Governor had sent the following message:

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

The Honorable Floyd Millen
Speaker of the House
Sixty-eighth General Assembly
State Capitol
Des Moines, Iowa 50319

Honorable Members of the General Assembly:

Keeping with tradition on this final day designated for final adjournment of the First Session of the Sixty-eighth General Assembly, I welcome the opportunity to review with you what has been done in the recent session and what remains to be done. Obviously, I will not attempt to address every detail. But I will happily commend you on some of the momentous decisions you made and for which you deserve high marks. Likewise I want to make reference to a few issues on which the marks won't be as high.

You have been praised—and you have been criticized—because of your willingness to experiment with new procedures to limit the length of the legislative session. Recent history has demonstrated clearly the tendency to have longer and longer sessions. Attracting and retaining legislators who pursue active careers at home as well as serve in the legislature have grown more difficult. Your new rules, for the most part, have led to a better balance between a legislator's public life and his or her private pursuits. That balance is critical to retaining what we call a "citizens legislature".

This Sixty-eighth General Assembly faced substantial responsibilities when it convened January 8. In my Condition of the State Message, I set forth an ambitious set of recommendations. Those were followed by the Governor's biennial budget recommendations. You brought your own list of priorities, as did many interest groups. And you inherited major items of unfinished business bequeathed to you by the last General Assembly.

To your credit, you accepted your responsibilities. You dedicated yourselves to long hours of committee work and floor debate. You survived the partisan skirmishes and the close, critical eye of public scrutiny. As with every legislature I have had the privilege of working, you did not complete action on all the items I would have liked. Yet the first session of the Sixty-eighth General Assembly did compile a record impressive in many respects for which you and all Iowans can have some satisfaction.

You overcame last year's deadlock and passed the urban revitalization bill—a centerpiece of my legislative program. Iowa municipalities of all sizes can benefit from its incentives to renovate and build anew.

Permanent legislation was adopted dealing with credit union share drafts and usury. The floating mortgage rate ceiling is the appropriate response to the unsettled money market during these times of high inflation.

As competition from other states heightens, you responded favorably to most of our recommendations to improve Iowa's business climate. Retention and expansion of job openings must be a high priority. Especially, you have given new hope for our young Iowans who want to live and work here. Local option property tax exemptions, payment of interest on community industrial buildings, resumption of the personal property tax phaseout and providing start-up training funds will enable Iowa to compete aggressively for new and expanded industrial prospects. By continuing the Iowa European office, we can further our pursuit and promotion of Iowa's agricultural and manufactured goods abroad and the investment of foreign business capital here. Reform of our unemployment insurance laws places Iowa in a more competitive position with other states. Regrettably, you did not bring up for debate the repeal of the sales tax on machinery and equipment. More than 30 other states have taken this action and Iowa should have in 1979. This could have been done within the framework of my budget.

Several positive steps were made in the energy arena. You adopted life-cycle costing procedures for the construction of new public buildings. The appropriation of almost \$9 million marks a major effort to make state buildings more energy efficient through retrofitting. Legislation was passed permitting a more fair rate of return on utility refunds. Hopefully you can quickly complete action next year on the solar rights measure that remained in a conference committee at the end of the session. Indications are that energy will not disappear in the foreseeable future as a major problem in this country.

I do not hide my feelings of disappointment that more progress in making government operations more efficient and effective was not achieved. Several state agency restructuring proposals remain to be acted upon. There were incidents where you hampered government by deleting small amounts of funds important to the operation of state agencies while at the same time spending millions of dollars easily elsewhere in the budget. Hopefully the findings and recommendations of the Governor's Economy Committee will provide you with an innovative agenda next year to improve the operation of state government.

Senior Iowans will benefit from your actions during the 1979 session. As we asked, mandatory retirement for state employees under IPERS was abolished. Our Eldercare program was initiated, and the elderly property tax credit program strengthened.

You also acted to aid other Iowans with their property taxes. Retroactive equalization will return a larger measure of fairness to assessments across the state. Something for which Iowans should be, and I believe are, grateful are continued limits on the increase in property tax assessments. These assessments and 100 percent productivity mean that homeowners and farmers will not be faced with the burden of heavy property tax increases due to rapidly inflating property values.

The school foundation plan was significantly revised to provide additional assistance, especially to districts with declining enrollments. The private school transportation program was improved with a standing unlimited appropriation. For higher education, you supported a solid increase in funding for our state universities and area community colleges, as well as an increase in the tuition grant program.

The large increases in state aid to local and higher education would not have been possible without the substantial growth of revenues the state has enjoyed this past year. Indeed, the revenue picture improved enough that I was able to offer to you a one-time refund of \$50 million and the permanent repeal of the sales tax on residential utilities as forms of substantial tax relief that would benefit Iowans. While you quickly accepted the tax refund, you chose a reduction in the individual income tax in lieu of the utility sales tax repeal. We are reviewing that measure, and we hope the interim will be used wisely to see how Iowa might embrace income tax indexing on a permanent basis.

During this session of the legislature, you dealt with a great number of other issues. The Equal Rights Amendment to the State Constitution and the hazardous substances disposal bill are two examples of additional substantive subjects that were acted upon and passed. Also important concerns, such as bipartisan reapportionment and mental health reorganization, were acted upon by one house but await final action in 1980. Other subjects, such as ethics and open collective bargaining, remain to be debated. No doubt other matters will surface between now and next January that will demand attention in the Second Session of the Sixty-eighth General Assembly.

You will face that next session with the valuable experience you gained this session. Your constructive achievements of 1979 have given you a solid base on which you can build a highly successful second session.

The executive branch of state government and particularly my office and I wish to work with you to assist you as we can over the interim and during next year's session. Thank you and best regards.

Sincerely,
ROBERT D. RAY
Governor

The report was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of House Concurrent Resolution 33, duly adopted, the day of May 11, 1979 having arrived, the Speaker of the House declared the 1979 Regular Session of the Sixty-eighth General Assembly adjourned.

AMENDMENTS FILED

Amendments filed during the Sixty-eighth General Assembly,
1979 Session, not otherwise printed in the House Journal.

H-3001

- 1 Amend House File 13 as follows:
- 2 1. Page 3, lines 1 and 2, by striking the words
- 3 and figures ", two (2) or three (3)" and inserting
- 4 in lieu thereof the words and figure "or two (2)".
- 5 2. Page 4, by striking lines 20 through 23.
- 6 3. Page 4, lines 26 and 27, by striking the words
- 7 and figures ", two (2) or three (3)" and inserting
- 8 in lieu thereof the words and figure "or two (2)".
- 9 4. Page 4, line 31, by striking the words and
- 10 figures ", two (2) or three (3)" and inserting in
- 11 lieu thereof the words and figure "or two (2)".
- 12 5. Page 6, line 20, by striking the words and
- 13 figures ", two (2) or three (3)" and inserting in
- 14 lieu thereof the words and figure "or two (2)".
- 15 6. Page 7, line 20, by striking the words and
- 16 figures ", two (2) or three (3)" and inserting in
- 17 lieu thereof the words and figure "or two (2)".

BINA of Scott

H-3002

- 1 Amend House File 13 as follows:
- 2 1. Page 3, by inserting after line 26 the
- 3 following:
- 4 "7. A second public hearing has been held upon
- 5 the receipt by the governing body of a petition signed
- 6 by at least ten percent of the owners of record of
- 7 real property located within the proposed area and
- 8 by at least ten percent of the adults renting real
- 9 property located within the proposed area. The
- 10 petition must be filed not later than sixty days after
- 11 the holding of the first public hearing. Upon receipt
- 12 and verification of the petition, the governing body
- 13 shall hold a second public hearing, with notice as
- 14 provided in subsection four (4) of this section, no
- 15 sooner than sixty days nor later than six months after
- 16 the first hearing. The governing body does not have
- 17 to hold two separate public hearings under subsections
- 18 six (6) and seven (7) of this section for the same
- 19 area."

BINA of Scott

H-3003

1 Amend House File 13 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. NEW SECTION. The governing body of
5 a city may, by ordinance, designate an area of the
6 city as a revitalization area, if that area is either
7 of the following:

8 1. An area in which there is a predominance of
9 buildings or improvements, whether residential or
10 nonresidential, which by reason of dilapidation,
11 deterioration, age, obsolescence, inadequate provision
12 for ventilation, light, air, sanitation, or open
13 spaces, high density of population and overcrowding,
14 the existence of conditions which endanger life or
15 property by fire and other causes or a combination
16 of such factors, is conducive to ill health,
17 transmission of disease, infant mortality, juvenile
18 delinquency or crime, and which is detrimental to
19 the public health, safety, or welfare.

20 2. An area which by reason of the presence of
21 a substantial number of deteriorated or deteriorating
22 structures, predominance of defective or inadequate
23 street layout, faulty lot layout in relation to size,
24 adequacy, accessibility or usefulness, unsanitary
25 or unsafe conditions, deterioration of site or other
26 improvements, diversity of ownership, tax or special
27 assessment delinquency exceeding the actual value
28 of the land, defective or unusual conditions of title,
29 or the existence of conditions which endanger life
30 or property by fire and other causes, or a combination
31 of such factors, substantially impairs or arrests
32 the sound growth of a municipality, retards the
33 provision of housing accommodations or constitutes
34 an economic or social liability and is a menace to
35 the public health, safety, or welfare in its present
36 condition and use.

37 Sec. 2. NEW SECTION. A city may only exercise
38 the authority conferred upon it in this Act after
39 the following conditions have been met:

40 1. The governing body has adopted a resolution
41 finding that the rehabilitation, conservation,
42 redevelopment, or a combination thereof of the area
43 is necessary in the interest of the public health,
44 safety, or welfare of the residents of the city and
45 the area meets the criteria of section one (1) of
46 this Act.

47 2. The city has prepared a plan for the designated
48 revitalization area. The plan shall include:

49 a. A legal description of the real estate forming
50 the boundaries of the proposed area along with a map

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1 depicting the existing parcels of real estate and
2 their use within the proposed area.

3 b. The existing assessed valuation of the real
4 estate in the area delineating land and improvement
5 values.

6 c. A list of names and addresses of the owners
7 of record of real estate within the area.

8 d. The existing zoning classifications and
9 districts within the area. When the plan involves
10 specific development projects there shall be an
11 analysis of the projects which shall include costs
12 and cost estimates of the projects, a schedule of
13 the time anticipated for the completion of major
14 segments as well as the entire project, and evidence
15 of the arrangement made by both the owner and the
16 developer for financing the costs of the project.

17 e. Proposals for improving or expanding city
18 services within the area including but not limited
19 to transportation facilities, sewage, garbage
20 collection, street maintenance, park facilities and
21 police and fire protection.

22 f. A statement specifying whether the
23 revitalization is applicable to residential, commercial
24 or industrial property within the designated area
25 or a combination thereof and whether the revitalization
26 is for rehabilitation and additions to existing
27 buildings or new construction or both. The city shall
28 state how long it is estimated that the area shall
29 remain a designated revitalization area which time
30 shall be longer than one year from the date of designa-
31 tion and shall state any plan by the city to issue
32 revenue bonds for revitalization projects within the
33 area.

34 g. The provisions that have been made for the
35 relocation of persons, including families, business
36 concerns and others, whom the city anticipates will
37 be displaced as a result of improvements to be made
38 in the designated area.

39 3. The city has filed a copy of the plan for the
40 designated revitalization area with the city
41 development board at least thirty days before the
42 scheduled public hearing.

43 4. The city has scheduled a public hearing and
44 notified all owners of record of real property located
45 within the proposed area and the city development
46 board in accordance with section three hundred sixty-
47 two point three (362.3) of the Code. In addition
48 to notice by publication, notification shall also
49 be given by ordinary mail to the last known address
50 of the owners of record.

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1 5. The public hearing has been held.

2 6. The city development board has approved the
3 plan for the designated area. However, in lieu of
4 the board's approval, the city may schedule a second
5 public hearing with notice as provided in subsection
6 four (4) of this section no sooner than sixty days
7 nor later than six months after the first hearing.
8 At this second hearing, the city may offer an amended
9 plan or consider the specifics of the board's
10 objection. After the second public hearing, the city
11 may by ordinance designate an area a revitalization
12 area without city development board approval if all
13 other requirements have been met.

14 7. A second public hearing has been held upon
15 the receipt by the governing body of a petition signed
16 by at least ten percent of the owners of record of
17 real property located within the proposed area and
18 by at least ten percent of the adults renting real
19 property located within the proposed area. The
20 petition must be filed not later than sixty days after
21 the holding of the first public hearing. Upon receipt
22 and verification of the petition, the governing body
23 shall hold a second public hearing, with notice as
24 provided in subsection four (4) of this section, no
25 sooner than sixty days nor later than six months after
26 the first hearing. The governing body does not have
27 to hold two separate public hearings under subsections
28 six (6) and seven (7) of this section for the same
29 area.

30 Sec. 3. NEW SECTION.

31 1. If an area zoned for residential use or
32 commercial use for residential purposes or mixed
33 commercial and residential uses is rezoned on or after
34 the effective date of this Act for any other use,
35 the city shall not adopt a resolution designating
36 that area as a part of a revitalization area for at
37 least five years after the date on which that area
38 was rezoned.

39 2. After the city designates an area a
40 revitalization area, the city shall not rezone an
41 area zoned for residential use or commercial use for
42 residential purposes or mixed commercial and
43 residential uses to any other use within that
44 revitalization area during the time the area remains
45 designated a revitalization area or for seven years
46 from the date of the designation as a revitalization
47 area, whichever time is the lesser.

48 3. The provisions in this section restricting
49 a city from designating an area a revitalization area
50 if that area has been rezoned or restricting a city

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1 from rezoning an area within a revitalization area
2 do not apply to any of the following:

3 a. The rezoning of an area consisting solely of
4 land on which no structure exists at the time of
5 rezoning unless structures previously existing on
6 the land have been removed for the purpose of
7 qualifying for this exception.

8 b. The rezoning of an area if before the rezoning
9 the city has entered into agreements with all
10 developers and the persons and businesses involved
11 to insure that relocation payments or rent supplements
12 will be provided as required by section seven (7)
13 of this Act.

14 c. The rezoning of an area for which an urban
15 renewal project has been approved pursuant to chapter
16 four hundred three (403) of the Code.

17 d. The rezoning of an area if the governing body
18 has provided in its plan that the percentage of real
19 property, based on land area, located within that
20 area which will be used for residential use, commercial
21 use for residential purposes or mixed commercial and
22 residential use will approximate the percentage of
23 real property, based on land area, used for those
24 purposes before the rezoning. This exception shall
25 apply only to areas rezoned by a two-thirds vote of
26 the members of the governing board.

27 4. For purposes of this section, zoning for "mixed
28 commercial and residential uses" means a zoning
29 classification in which small scale commercial uses
30 are permitted in an otherwise predominantly residential
31 environment.

32 Sec. 4. NEW SECTION.

33 1. All qualified real estate is eligible to receive
34 a one hundred percent exemption from assessment and
35 taxation on the actual value, not to exceed two hundred
36 fifty thousand dollars, added to that real estate
37 by the improvements. The exemption is for a period
38 of seven years.

39 2. All qualified real estate assessed as commercial
40 property, consisting of three or more separate living
41 quarters, with at least seventy-five percent of the
42 space used for residential purposes, or assessed as
43 residential property is eligible to receive a partial
44 exemption from assessment and taxation for a period
45 of ten years. The amount of the partial exemption
46 is equal to a percent of the actual value of the
47 existing buildings and the actual value added by the
48 improvements made during the time the area was
49 designated a revitalization area, determined as
50 follows:

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- 1 a. For the first year, fifty percent.
- 2 b. For the second year, forty-five percent.
- 3 c. For the third year, forty percent.
- 4 d. For the fourth year, thirty-five percent.
- 5 e. For the fifth year, thirty percent.
- 6 f. For the sixth year, twenty-five percent.
- 7 g. For the seventh year, twenty-five percent.
- 8 h. For the eighth year, twenty percent.
- 9 i. For the ninth year, twenty percent.
- 10 j. For the tenth year, fifteen percent.

11 However, the amount of actual value used in
12 computing the assessed value of the existing buildings
13 and those improvements shall not be less during the
14 ten-year exemption period than it was in the year
15 immediately preceding the year in which an exemption
16 is first granted.

17 3. The owners of qualified real estate eligible
18 for the exemption provided in subsection two (2) of
19 this section shall elect to take either the exemption
20 provided in subsection one (1) or subsection two (2)
21 of this section. Once the election has been made
22 and the exemption granted, the owner is not permitted
23 to change the method of exemption.

24 4. "Qualified real estate" as used in this Act
25 means real property, other than land, which is located
26 in a designated revitalization area and to which
27 improvements have been added, during the time the
28 area was so designated, which have increased the
29 actual value by at least twenty-five percent or at
30 least fifteen percent in the case of real property
31 assessed as residential property. "Qualified real
32 estate" also means land upon which no structure existed
33 at the start of the new construction, which is located
34 in a designated revitalization area and upon which
35 new construction has been added during the time the
36 area was so designated. "Improvements" as used in
37 this Act includes rehabilitation and additions to
38 existing structures as well as new construction on
39 vacant land or on land with existing structures.

40 Sec. 5. NEW SECTION. A person may submit a
41 proposal for a construction project to the governing
42 body of the city to seek prior approval for eligibility
43 for a tax exemption on the project. The governing
44 body shall, by resolution, give its prior approval
45 for a construction project if the project is in
46 conformance with the plan for revitalization developed
47 by the city. If the proposal is not approved, the
48 person may submit an amended proposal for the governing
49 body to approve or reject.

50 An application shall be filed for each new exemption

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1 claimed. The first application for an exemption shall
2 be filed by the owner of the property with the
3 governing body of the city in which the property is
4 located by February first of the assessment year for
5 which the exemption is first claimed, but not later
6 than the year in which all improvements included in
7 the construction project are first assessed for
8 taxation. The application shall be made on forms
9 prescribed by the director of revenue, and shall
10 contain information pertaining to the nature of the
11 improvement, its cost, the completion date or estimated
12 completion date of construction of the improvement,
13 and other information deemed necessary by the director
14 of revenue. The governing body of the city shall
15 approve the application, subject to review by the
16 local assessor pursuant to section six (6) of this
17 Act, if the construction project is in conformance
18 with the plan for revitalization developed by the
19 city, is located within a designated revitalization
20 area and the improvements were made during the time
21 the area was so designated. The governing body of
22 the city shall forward for review all approved
23 applications to the appropriate local assessor by
24 March first of each year with a statement indicating
25 whether subsection one (1) or subsection two (2) of
26 section four (4) of this Act would apply. Applications
27 for exemption for succeeding years on approved projects
28 shall be filed directly with the local assessor by
29 March first on claims prescribed by the director of
30 revenue.

31 **Sec. 6. NEW SECTION.** The local assessor shall
32 review each first-year application to determine if
33 the improvements made increased the actual value of
34 the qualified real estate by at least twenty-five
35 percent or at least fifteen percent in the case of
36 real property assessed as residential property. If
37 the assessor determines that the actual value of that
38 real estate has increased by at least twenty-five
39 percent or at least fifteen percent in the case of
40 real property assessed as residential property, the
41 assessor shall proceed to determine the actual value
42 of the property and certify the valuation determined
43 pursuant to section four (4) of this Act to the county
44 auditor at the time of transmitting the assessment
45 rolls. However, if a new structure is erected on
46 land upon which no structure existed at the start
47 of the construction project, the assessor shall proceed
48 to determine the actual value of the property and
49 certify the valuation determined pursuant to section
50 four (4) of this Act to the county auditor at the

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1 time of transmitting the assessment rolls. The
2 assessor shall notify the applicant of the
3 determination, and the assessor's decision may be
4 appealed to the local board of review at the times
5 specified in section four hundred forty-one point
6 thirty-seven (441.37) of the Code. If an application
7 for exemption is denied as a result of failure to
8 sufficiently increase the value of the real estate
9 as provided in section four (4) of this Act, the owner
10 may file a first annual application in a subsequent
11 year when additional improvements are made to satisfy
12 requirements of section four (4) of this Act, and
13 the provisions of section five (5) of this Act shall
14 apply. For applications for each succeeding year,
15 the local assessor shall determine the actual value
16 of the property and certify to the county auditor
17 the valuation of the property as determined pursuant
18 to section four (4) of this Act.

19 Sec. 7. NEW SECTION. Upon application to it and
20 after verification by it, the city shall provide
21 relocation payments to or with respect to persons,
22 including families, business concerns and others
23 displaced as a result of improvements made in a
24 designated revitalization area. The payments shall
25 be made for moving expenses and losses of property
26 for which reimbursement or compensation has not
27 otherwise been provided. In addition, the city shall
28 provide rent supplements to families who are forced
29 to relocate because of improvements made within the
30 area, if necessary in order to house the family in
31 decent, safe and sanitary housing and if the family
32 does not have sufficient means, as determined by the
33 city, to pay the required rent for such housing and
34 if reimbursement or compensation has not otherwise
35 been provided. A rent supplement for a family shall
36 not continue for more than five years.

37 Sec. 8. NEW SECTION. When in the opinion of the
38 governing body of a city the desired level of
39 revitalization has been attained or economic conditions
40 are such that the continuation of the exemption granted
41 by this Act would cease to be of benefit to the city,
42 the governing body may repeal the ordinance
43 establishing a revitalization area. In such event,
44 all existing exemptions shall continue until their
45 expiration.

46 Sec. 9. NEW SECTION. Residential real estate
47 located within an area designated as a revitalization
48 area pursuant to section one (1) of this Act, is not
49 subject to the additional tax imposed by section four
50 hundred forty-five point sixty-three (445.63) of the

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1 Code.

2 Sec. 10. Section three hundred sixty-eight point
3 ten (368.10), unnumbered paragraph one (1), Code 1979,
4 is amended to read as follows:

5 The board shall conduct studies of city development,
6 and shall submit an annual report to the governor
7 and the general assembly. This report shall include
8 an analysis of all plans for designated revitalization
9 areas filed with the board pursuant to this Act since
10 the last annual report.

11 Sec. 11. Section four hundred three point nine
12 (403.9), Code 1979, is amended by adding the following
13 new subsection:

14 **NEW SUBSECTION.** Municipalities may also issue
15 revenue bonds for projects located within an urban
16 renewal area or an area designated a revitalization
17 area pursuant to this Act. These revenue bonds shall
18 be issued pursuant to the provisions of chapter four
19 hundred nineteen (419) of the Code and all provisions
20 of chapter four hundred nineteen (419) of the Code,
21 to the extent consistent with the provisions of this
22 chapter in the case of urban renewal areas or of this
23 Act in the case of revitalization areas, shall apply,
24 except that:

25 a. The term "project" as defined in section four
26 hundred nineteen point one (419.1) of the Code includes
27 land, buildings, or improvements which are suitable
28 for use as residential property or for the use of
29 a commercial enterprise or nonprofit organization
30 which the governing body finds is consistent with
31 the urban renewal plan or the revitalization plan,
32 as the case may be.

33 b. Sections four hundred nineteen point eight
34 (419.8) and four hundred nineteen point fourteen
35 (419.14) of the Code shall not be construed to limit
36 the powers of a municipality granted under this chapter
37 in the case of an urban renewal area or under this
38 Act in the case of a revitalization area.

39 The power to issue revenue bonds pursuant to this
40 subsection is in addition to other powers granted
41 municipalities to aid urban renewal areas and
42 revitalization areas.

43 Sec. 12. This Act applies to all cities including
44 special charter cities.

45 Sec. 13. This Act is effective January first
46 following its enactment."

BINA of Scott
CUSACK of Scott
ARNOULD of Scott

NORLAND of Worth
LLOYD-JONES of Johnson
BRANDT of Black Hawk

H-3004

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 20, line 3, by striking the word "shall"
- 3 and inserting in lieu thereof the words "shall may".

SCHROEDER of Pottawattamie

H-3005

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 19, line 14, by striking the words "IN
- 3 COMMITTEES".
- 4 2. Page 19, line 16, by inserting after the word
- 5 "meeting" the words "or in the chamber of the house
- 6 except in the perimeter area while the house is in
- 7 session".

WALTER of Pottawattamie
PELTON of Clinton

H-3006

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 13, by inserting after line 35 the
- 3 following:
- 4 "All individually-sponsored bills originating
- 5 in the house which are reported out by a committee
- 6 shall become committee bills."

WALTER of Pottawattamie

H-3007

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 4, by striking lines 33 through 35.
- 3 2. Page 5, by striking line 1.

SPEAR of Lee

H-3008

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, by inserting after line 20 the
- 3 following:
- 4 "9. Guests of the house."

JOCHUM of Dubuque

H-3009

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, by inserting after line 20 the
- 3 following:
- 4 "9. Doctors of the day."

JOCHUM of Dubuque

H-3010

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, by inserting after line 20 the
- 3 following:
- 4 "9. Pastors of the day."

JOCHUM of Dubuque

H-3011

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 1, line 19, by striking the numerals
- 3 "6:00" and inserting in lieu thereof the numerals
- 4 "10:00".

ARNOULD of Scott

H-3012

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 14, line 10, by inserting after the
- 3 word "day" the words ", except that an amendment
- 4 may be filed on the day of the consideration of a
- 5 rule, resolution, or bill if the rule, resolution,
- 6 or bill has not been included on a calendar of the
- 7 house distributed before 9:00 a.m. of the preceding
- 8 day".

RAPP of Black Hawk

H-3013

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 5, by striking lines 2 through 6.

ARNOULD of Scott

H-3014

- 1 Amend House Resolution 3 as follows:
2 1. Page 11, by striking line 35.
3 2. Page 12, by striking lines 1 through 8.
4 3. Page 12, line 9, by striking the words
5 "regular session." and inserting in lieu thereof
6 the following:
7 "The final day for the introduction of
8 individually sponsored bills shall be the sixty-
9 first calendar day of the first regular session of
10 a general assembly unless a written request for
11 drafting the bill has been filed with the legisla-
12 tive service bureau before that time. After
13 adjournment of the first regular session, bills may
14 be prefiled at any time before the convening of the
15 second regular session."

RAPP of Black Hawk

H-3015

- 1 Amend House Resolution 3 as follows:
2 1. Page 15, line 9, by striking the words
3 "at the opening" and inserting in lieu thereof
4 the words "at the opening by 9:00 a.m.".

CONNOLLY of Dubuque

H-3016

- 1 Amend House Resolution 3 as follows:
2 1. Page 14, line 7 by inserting after the words
3 "No amendment" the words ", except technical
4 amendments,".

HALVORSON of Clayton
HARBOR of Mills

H-3017

- 1 Amend House Resolution 3 as follows:
2 1. Page 8 by striking line 14 and inserting
3 in lieu thereof the following: "service bureau
4 and, fiscal director's office, and administrative
5 rules review committee staff."
6 2. Page 8, line 19 by striking the word "who"
7 and inserting in lieu thereof the words ", all of
8 whom".
9 3. Page 8, by inserting following line 20 the

10 following new paragraph:

11 "No other persons shall be allowed on the house
 12 floor without permission of the presiding
 13 officer of the house."

HALVORSON of Clayton
 HARBOR of Mills

H-3018

1 Amend House Resolution 3 as follows:

2 1. Page 8, by inserting after line 20 the
 3 following:

4 "9. Justices of the Iowa supreme court."

CONNOLLY of Dubuque

H-3019

1 Amend House Resolution 3 as follows:

2 1. Page 4, line 25, by striking the word "ten"
 3 and inserting in lieu thereof the following: "ten
 4 fifteen".

JOCHUM of Dubuque

H-3020

1 Amend House Resolution 3 as follows:

2 1. Page 4, line 34, by inserting after the word
 3 "FOOD" the words "AND DRINK".

4 2. Page 4, line 35, by striking the word "is"
 5 and inserting in lieu thereof the words "and drink
 6 are".

SPEAR of Lee

H-3021

1 Amend House Resolution 3 as follows:

2 1. Page 14 by striking line 10 and inserting
 3 in lieu thereof the following:

4 "with the chief clerk on the day preceding
 5 floor debate on the amendment. This provision
 6 shall not apply to any proposal debated on the floor
 7 of the house after the fifteenth week of the first
 8 session and the thirteenth week of the second
 9 session. No amendment or".

HALVORSON of Clayton
 HARBOR of Mills

H-3022

- 1 Amend House Resolution 3 as follows:
2 1. Page 26, by inserting after line 35 the
3 following:
4 "When any vote is taken on the electronic voting
5 machine, the machine shall be held open to receive
6 votes for no longer than three minutes."

CUSACK of Scott

H-3023

- 1 Amend House Resolution 3 as follows:
2 1. Page 11, by striking line 35.
3 2. Page 12, by striking lines 1 through 20 and
4 inserting in lieu thereof the following:
5 "The final day for the introduction of individu-
6 ally sponsored bills shall be the sixty-first
7 calendar day of the first regular session of a
8 general assembly unless a written request for
9 drafting the bill has been filed with the legisla-
10 tive service bureau before that time. After adjourn-
11 ment of the first regular session, bills may be
12 prefiled at any time before the convening of the
13 second regular session. No bill shall be filed
14 after the fifteenth calendar day of the second
15 regular session of a general assembly unless a
16 written request for drafting the bill has been
17 filed with the legislative service bureau before
18 that time."

CUSACK of Scott

H-3024

- 1 Amend House Resolution 3 as follows:
2 1. Page 14, by striking lines 7 through 9 and
3 inserting in lieu thereof the following:
4 "36.8 No amendment to the rules of the house, to
5 any resolution or bill shall be considered by the
6 membership of the house without a copy".
7 2. Page 14, line 10, by striking the words "with
8 the chief clerk on the preceding day." and inserting
9 in lieu thereof the numerals "36.8".

AVENSON of Fayette
ANDERSON of Jasper
DAVITT of Warren

H-3025

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, by inserting after line 20 the
- 3 following:
- 4 "9. Former pages of the house."

PERKINS of Greene
BINA of Scott

H-3026

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 6, lines 18 and 19, by striking the words
- 3 "speaker of the house" and inserting in lieu thereof
- 4 the words "chief clerk".

PERKINS of Greene

H-3027

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, lines 16 and 17, by striking the
- 3 words "and administrative assistants".

CHIODO of Polk

H-3028

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 29, line 15, by inserting after the word
- 3 "his" the words "or her".

BRANDT of Black Hawk

H-3029

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 8, line 18, by inserting after the word
- 3 "general," the words "solicitor general, division
- 4 heads within the department of justice,".

PERKINS of Greene
BINA of Scott

H-3030

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 18, line 23, by inserting after the
- 3 word "COMMITTEES" the words "AND COMMITTEE CHAIR-
- 4 PERSONS".
- 5 2. Page 18, by inserting after line 25 the
- 6 following:
- 7 "All committee chairpersons shall be appointed
- 8 by the speaker subject to the approval of a majority
- 9 of the members of the majority caucus. A committee
- 10 chairperson shall be entitled to continue as
- 11 chairperson in the succeeding general assembly
- 12 unless removed by a majority of the members of the
- 13 majority caucus."

PAVICH of Pottawattamie

H-3031

- 1 Amend amendment H-3021 to House Resolution 3
- 2 as follows:
- 3 1. Page 1, by striking lines 2 through 9 and
- 4 inserting in lieu thereof the following:
- 5 "1. Page 14, by striking lines 7 through 9 and
- 6 inserting in lieu thereof the following:
- 7 "36.8 No amendment to the rules of the house, to
- 8 any resolution or bill shall be considered by the
- 9 membership of the house without a copy".
- 10 2. Page 14, line 10, by striking the words "with
- 11 the chief clerk on the preceding day." and inserting
- 12 in lieu thereof the numerals "36.8"."

AVENSON of Fayette
 CUSACK of Scott
 DAVITT of Warren
 ANDERSON of Jasper

H-3032

- 1 Amend House Resolution 3 as follows:
- 2 1. Page 14, by striking line 10 and inserting
- 3 in lieu thereof the following:
- 4 "with the chief clerk on the preceding day if the
- 5 amendment amends a bill which was scheduled for
- 6 debate at least two session days in advance. However,
- 7 this rule shall not apply to amendments to ways and
- 8 means and appropriations bills, or bills voted out
- 9 of sifting committee. No amendment or".

AVENSON of Fayette
 ANDERSON of Jasper
 CUSACK of Scott
 DAVITT of Warren

H-3033

- 1 Amend House Resolution 3 as follows:
 2 1. Page 3, line 10, by striking the words "a
 3 constitutional majority" and inserting in lieu
 4 thereof the words "a constitutional majority
 5 sixty members".
 6 2. Page 3, line 12, by striking the words "a
 7 constitutional majority" and inserting in lieu
 8 thereof the words "a constitutional majority sixty
 9 members".

CHIODO of Polk

H-3034

- 1 Amend House Resolution 3 as follows:
 2 1. Page 15, line 5, by striking the words
 3 "except appropriations and ways and means bills"
 4 and inserting in lieu thereof the words "~~except~~
 5 appropriations and ways and means bills".

BINA of Scott

H-3035

- 1 Amend House Resolution 3 as follows:
 2 1. Page 7, line 35, by striking the words "who
 3 shall be".
 4 2. Page 8, by striking line 1.
 5 3. Page 8, line 2, by striking the words "is in
 6 session".

JOCHUM of Dubuque
BINA of Scott

H-3036

- 1 Amend House Resolution 3 as follows:
 2 1. Page 6, line 1, by striking the words "speaker
 3 of the house" and inserting in lieu thereof the
 4 words "house administration committee".

WOODS of Polk
BINA of Scott

H-3037

- 1 Amend House Resolution 3 as follows:
 2 1. Page 21, by striking lines 33 through 35 and
 3 inserting in lieu thereof the following:
 4 "However, the rules of the appropriations
 5 committee and the ways and means committee may

6 require a greater number, but not more than a
 7 majority of the total membership of the".
 8 2. Page 22, by striking lines 1 and 2 and
 9 inserting in lieu thereof the following:
 10 "committee, for the purpose of requesting a
 11 public hearing to be held after the sifting
 12 committee has been appointed."

BINA of Scott

H-3038

1 Amend House Resolution 3 as follows:
 2 1. Page 13, by striking line 29 and inserting
 3 in lieu thereof the words "speaker who shall direct
 4 that the bill be placed on the".

SPEAR of Lee

H-3039

1 Amend amendment H-3021 to House Resolution 3
 2 as follows:
 3 1. Page 1, by striking lines 5 through 9 and
 4 inserting in lieu thereof the following:
 5 "if the amendment amends a bill which was
 6 scheduled for debate at least two session days in
 7 advance. However, this rule shall not apply to
 8 amendments to ways and means and appropriations
 9 bills, or bills voted out of sifting committee. No
 10 amendment or".

AVENSON of Fayette
 ANDERSON of Jasper

H-3040

1 Amend House Resolution 3 as follows:
 2 1. Page 26, by striking lines 28 through 35 and
 3 inserting in lieu thereof the following:
 4 "Upon the request of two members during the taking
 5 of any vote of the house on any question only those
 6 members at their desks and voting shall be counted,
 7 except as follows:
 8 1. An original vote on any question may be
 9 recorded any time within ten minutes after the vote
 10 has been announced, providing the vote does not
 11 change the outcome of the vote on that question.
 12 The presiding officer shall announce the names of

- 13 persons so recorded after the ten minute period.
 14 2. Members meeting in a conference committee at
 15 the time a vote is taken on a question may have
 16 their vote recorded any time prior to 4:30 p.m. or
 17 adjournment, whichever is later, of that same
 18 legislative day, providing the vote does not change
 19 the outcome of the vote on that bill."

HORN of Linn

H-3041

- 1 Amend House Resolution 3 as follows:
 2 1. Page 12, lines 24 and 25, by striking the words
 3 "by the legislative service bureau" and inserting
 4 in lieu thereof the words "by the legislative service
 5 bureau".
 6 2. Page 12, line 32, by striking the words "by
 7 the legislative service bureau" and inserting in lieu
 8 thereof the words "by the legislative service bureau".

LLOYD-JONES of Johnson
 O'KANE of Woodbury
 WELSH of Dubuque
 ARNOULD of Scott
 CUSACK of Scott
 BINNEBOESE of Plymouth
 SHERZAN of Polk
 BINA of Scott

DIELEMAN of Marion
 BRANDT of Black Hawk
 CONNOLLY of Dubuque
 PATCHETT of Johnson
 HALL of Linn
 HALVORSON of Webster
 JAY of Appanoose

H-3042

- 1 Amend House Resolution 3 as follows:
 2 1. Page 11, by striking lines 24 through 35.
 3 2. Page 12, by striking lines 1 through 20 and
 4 inserting in lieu thereof the following:
 5 "The final day for the introduction of individually
 6 sponsored bills shall be ~~the sixty first calendar~~
 7 ~~day~~ Friday of the seventh week of the first regular
 8 session of a General Assembly unless a written request
 9 for drafting the bill has been filed with the
 10 Legislative Service Bureau before that time. After
 11 adjournment of the first regular session, bills may
 12 be prefiled at any time before the convening of the
 13 second regular session. No bill shall be filed after
 14 the fifteenth calendar day Friday of the second week
 15 of the second regular session of a General Assembly,
 16 unless a written request for drafting the bill has
 17 been filed with the Legislative Service Bureau before
 18 that time.
 19 Bills or joint resolutions co-sponsored by the
 20 majority and minority floor leaders, standing

21 committees or sifting committee may be drafted and
22 introduced at any time unless otherwise limited by
23 the joint rules. House and concurrent resolutions
24 may be introduced at any time."

PATCHETT of Johnson
PERKINS of Greene
CONNORS of Polk

H-3043

1 Amend House Resolution 3 as follows:
2 1. Page 12, line 25, by inserting after the word
3 "bureau" the words "in the manner provided in the
4 1979 Iowa Bill Drafting Guide".
5 2. Page 12, line 32, by inserting after the word
6 "bureau" the words "in the manner provided in the
7 1979 Iowa Bill Drafting Guide".

PATCHETT of Johnson
WALTER of Pottawattamie
PERKINS of Greene

H-3044

1 Amend House Resolution 3 as follows:
2 1. Page 12, line 1, by striking the words "read
3 for the first time after" and inserting in lieu thereof
4 the words "considered for passage during the first
5 session by the house unless filed before".
6 2. Page 12, line 2, by striking the word "earlier"
7 and inserting in lieu thereof the word "later".
8 3. Page 12, line 10, by striking the words "read
9 for the first time after" and inserting in lieu thereof
10 the words "considered for passage during the second
11 session by the house unless filed before".
12 4. Page 12, line 11, by striking the word "earlier"
13 and inserting in lieu thereof the word "later".
14 5. Page 12, line 19, by inserting after the period
15 the words "This rule shall not be construed as
16 prohibiting an individual member from submitting a
17 study bill or a proposed committee bill prepared by
18 the legislative service bureau to the chairperson
19 of a standing committee if a request was timely filed
20 for such bill as provided in this rule."

PATCHETT of Johnson
NORLAND of Worth
PERKINS of Greene

H-3045

- 1 Amend House Resolution 3 as follows:
 2 1. Page 28, line 20, by inserting after the
 3 word "shall" the word "not".
 4 2. Page 28, by inserting after line 23 the
 5 following:
 6 "The votes and vote totals shall be displayed on
 7 the board at the time the presiding officer
 8 announces the result of the vote."

BYERLY of Polk

H-3046

- 1 Amend House Resolution 3 as follows:
 2 1. Page 3, line 10, by striking the words "a
 3 constitutional majority" and inserting in lieu
 4 thereof the words "a constitutional majority fifty-
 5 six members".
 6 2. Page 3, line 12, by striking the words "a
 7 constitutional majority" and inserting in lieu
 8 thereof the words "a constitutional majority fifty-
 9 six members".

AVENSON of Fayette

H-3047

- 1 Amend House Resolution 3 as follows:
 2 1. Page 28, by inserting after line 23 the
 3 following:
 4 "The announcement of the vote by the presiding
 5 officer shall be made no later than three minutes
 6 after the call for the vote."

CUSACK of Scott

H-3048

- 1 Amend House Resolution 3 as follows:
 2 1. Page 12, line 5, by inserting after the word
 3 "bureau" the words "for introduction during the first
 4 session".
 5 2. Page 12, line 14, by inserting after the word
 6 "bureau" the words "for introduction during the second
 7 session".
 8 3. Page 12, line 19, by inserting after the period
 9 the words "This rule shall not be construed as

10 prohibiting an individual member from submitting a
11 study bill or a proposed committee bill prepared by
12 the legislative service bureau to the chairperson
13 of a standing committee if a request was timely filed
14 for such bill as provided in this rule."

PATCHETT of Johnson
WALTER of Pottawattamie
NORLAND of Worth

H-3049

1 Amend House Resolution 3 as follows:

2 1. Page 18, line 23, by inserting after the
3 word "COMMITTEES" the words "AND COMMITTEE CHAIR-
4 PERSONS".

5 2. Page 18, by inserting after line 25 the
6 following:

7 "All committee chairpersons shall be appointed
8 by the speaker subject to the approval of a
9 majority of the members of the majority caucus. A
10 committee chairperson shall be entitled to continue
11 as chairperson in the succeeding general assembly
12 unless removed by a majority of the members of the
13 majority caucus."

14 The speaker of the house shall assign members
15 to interim committees and shall authorize trips
16 for members to legislative meetings and confer-
17 ences from a list of recommendations provided by
18 the committee chairperson of the appropriate
19 committee."

BYERLY of Polk
PAVICH of Pottawattamie

H-3050

1 Amend House Resolution 3 as follows:

2 1. Page 13, line 33, by inserting after the
3 word "committee." the following:

4 "The speaker shall announce any reassignments
5 from the chair. The question of reassignment may
6 be called by any member and a constitutional
7 majority of the members may block the assignment."

BYERLY of Polk

H-3051

- 1 Amend House Resolution 3 as follows:
 2 1. Page 13, line 35, by inserting after the
 3 word "bill" the following:
 4 "or resolution and such authorization shall
 5 not be given on a committee bill or resolution
 6 until the members have received final copies of
 7 the bill or resolution with amendments incorp-
 8 orated and typed into proper form".

LONERGAN of Boone

H-3052

- 1 Amend House Resolution 3 as follows:
 2 1. Page 1, line 17, by striking the following: "10:00 a.m."
 3 and inserting in lieu thereof the following: "9:30 a.m."
 4 2. Page 1, line 18, by striking the following: "9:00 a.m."
 5 and inserting in lieu thereof the following: "8:30 a.m."

SHERZAN of Polk

H-3053

- 1 Amend House Resolution 3 as follows:
 2 1. Page 20, line 3, by striking the word "shall"
 3 and inserting in lieu thereof the word "may".
 4 2. Page 20, by inserting after line 10 the
 5 following:
 6 "At the close of each legislative session, the
 7 chairperson of each committee shall have placed the
 8 committee's book of record containing minutes, roll
 9 calls, rules, etc., with the chief clerk for access
 10 of any interested person."

SCHROEDER of Pottawattamie
SMALLEY of Polk

H-3054

- 1 Amend House Resolution 3 as follows:
 2 1. Page 6, line 15, by striking the word "COUNSEL"
 3 and inserting in lieu thereof the words "COUNSEL
 4 COUNSELS".
 5 2. Page 6, line 17, by inserting after the word
 6 "The" the word "majority".
 7 3. Page 6, line 19, by inserting after the word
 8 "The" the word "majority".
 9 4. Page 6, line 20, by striking all of line 20
 10 and inserting in lieu thereof the words "of the

11 house; supervise the legal counsel's office; clear
 12 of the majority party; supervise the majority legal
 13 counsel's office; clear".

14 5. Page 6, by striking line 22 and inserting in
 15 lieu thereof the following:

16 "to introduction; and provide assistance to house
 17 committees. to introduction; and provide assistance
 18 to the majority members of house committees. The
 19 minority legal counsel shall be a house employee
 20 under the direction of the minority leader of the
 21 house. The minority legal counsel shall serve as
 22 chief legal officer of the minority party; supervise
 23 the minority legal counsel's office; clear all bills,
 24 resolutions, and amendments as to proper form prior
 25 to introduction; and provide assistance to minority
 26 members of house committees."

PERKINS of Greene
 WELLS of Linn
 BYERLY of Polk

H-3055

1 Amend House Resolution 3 as follows:

2 1. Page 12, line 3, by inserting after the
 3 word "assembly." the following:

4 "However, any bill drafted by the Legislative
 5 Service Bureau that is not read upon adjournment
 6 on Friday of the 7th week of the first session,
 7 but is in possession of the House Legal Counsel,
 8 will be given a House bill number and will be
 9 assigned to the sifting committee upon the
 10 establishment of the sifting committee. No".

STROMER of Hancock
 HANSON of Delaware

H-3056

1 Amend House Resolution 3 as follows:

2 1. Page 24, by inserting after line 27 the
 3 following:

4 "9. A motion to strike by an individual."
 5 2. By renumbering as necessary.

BYERLY of Polk

H—3057

- 1 Amend House Resolution 3 as follows:
 2 1. Page 28, by inserting after line 23 the
 3 following:
 4 "The announcement of the vote by the presiding
 5 officer shall be made no later than three minutes
 6 after the call for the vote. Upon request of any
 7 two members, the voting machine shall be open for
 8 three minutes."

CUSACK of Scott

H—3058

- 1 Amend House File 13 as follows:
 2 1. Page 1, line 3, by striking the word "either"
 3 and inserting in lieu thereof the word "one".
 4 2. Page 1, by inserting after line 28 the following
 5 new subsection:
 6 "3. An area that has been declared an urban renewal
 7 area pursuant to chapter four hundred three (403)
 8 of the Code and is in need of further renewal."

SPEAR of Lee

H—3072

- 1 Amend House Resolution 5 as follows:
 2 1. Page 20, by striking lines 34 and 35.
 3 2. Page 21, by striking lines 1 through 3.

BINA of Scott

H—3085

- 1 Amend House Resolution 5 as follows:
 2 1. Page 11, lines 24 and 25, by striking the words
 3 "co-sponsored by the majority and minority floor
 4 leaders," and inserting in lieu thereof the words
 5 "sponsored by".
 6 2. Page 11, line 25, by inserting after the word
 7 "or" the word "the".

BYERLY of Polk

H—3106

- 1 Amend House Resolution 5 as follows:
 2 1. Page 13, line 5, by inserting after the
 3 word "committee." the following:
 4 "The speaker shall announce any reassignments
 5 from the chair. The question of reassignment may
 6 be called by any member and a constitutional
 7 majority of the members may block the assignment."

BYERLY of Polk

H-3114

- 1 Amend House File 81 as follows:
- 2 1. Page 3, lines 1 and 2, by striking the words
- 3 and figures ", two (2) or three (3)" and inserting
- 4 in lieu thereof the words and figure "or two (2)".
- 5 2. Page 4, by striking lines 23 through 26.
- 6 3. Page 4, lines 29 and 30, by striking the words
- 7 and figures ", two (2) or three (3)" and inserting
- 8 in lieu thereof the words and figure "or two (2)".
- 9 4. Page 4, line 34, by striking the words and
- 10 figures ", two (2) or three (3)" and inserting in
- 11 lieu thereof the words and figure "or two (2)".
- 12 5. Page 6, line 24, by striking the words and
- 13 figures ", two (2) or three (3)" and inserting in
- 14 lieu thereof the words and figure "or two (2)".
- 15 6. Page 7, lines 24 and 25, by striking the words
- 16 and figures ", two (2) or three (3)" and inserting
- 17 in lieu thereof the words and figure "or two (2)".

BINA of Scott

H-3121

- 1 Amend House File 81 as follows:
- 2 1. Page 8, by inserting after line 14 the following
- 3 section:
- 4 "Sec. . Section four hundred three point seven
- 5 (403.7), Code 1979, is amended by adding the following
- 6 new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. Upon the adoption of
- 8 a plan of revitalization pursuant to sections one
- 9 (1) through seven (7) of this Act, the municipality
- 10 shall not exercise the power of condemnation under
- 11 this chapter to acquire any property located within
- 12 that revitalization area for five years after the
- 13 adoption of the plan of revitalization."

CONLON of Muscatine

H-3125

- 1 Amend House File 81 as follows:
- 2 1. Page 5, line 18, by inserting after the word
- 3 "designated" the following: " "Qualified real estate"
- 4 does not include real estate located in an urban
- 5 renewal area designated as such under chapter four
- 6 hundred three (403) of the Code after the effective
- 7 date of this Act and designated as such within five
- 8 years prior to the adoption of the plan for the
- 9 revitalization area."
- 10 2. Page 8, line 18, by inserting after the word
- 11 "area" the words "designated as such before the
- 12 effective date of this Act".

13 3. Page 8, by striking line 35 through page 9,
 14 line 5 and inserting in lieu thereof the following:
 15 "b. Section four hundred nineteen point fourteen
 16 (419.14) of the Code does not limit the powers of
 17 a municipality granted under this chapter for an urban
 18 renewal area designated as such before the effective
 19 date of this Act."

CONLON of Muscatine
 HANSON of Delaware

H-3129

1 Amend House File 81 as follows:
 2 1. Page 8, line 5, by inserting after the word
 3 "Code" the words ", if in the case of agricultural
 4 real estate the change in use is to a use exclusively
 5 for residential purposes".

CHIODO of Polk

H-3136

1 Amend House File 81 as follows:
 2 1. Page 8, by inserting after line 5 the following
 3 new section:
 4 "Sec. 8. **NEW SECTION.** Upon application to it
 5 and after verification by it, the city shall provide
 6 relocation payments to or with respect to persons,
 7 including families, business concerns and others
 8 displaced as a result of improvements made in a
 9 designated revitalization area. The payments shall
 10 be made for moving expenses and losses of property
 11 for which reimbursement or compensation has not
 12 otherwise been provided. For those families who have
 13 resided in the area now designated as a revitalization
 14 area for a period of five or more years, whose head
 15 of household is over sixty years of age, or who have
 16 otherwise been deemed eligible for additional
 17 assistance by the city, the city shall provide rent
 18 supplements subject to the following conditions:
 19 1. the family was forced to relocate because of
 20 improvements made within the area,
 21 2. a supplement to previous rental payments is
 22 necessary in order to house the family in decent,
 23 safe, and sanitary housing,
 24 3. the family does not have sufficient means,
 25 as determined by the city, to pay the required rent
 26 for such housing, and
 27 4. a reimbursement or compensation for the family
 28 has not otherwise been provided.

29 A rent supplement for a person or family shall
30 not continue for more than five years.

31 The state shall reimburse the city in the amount
32 of fifty percent of the relocation payments and rent
33 supplements paid directly by the city and not covered
34 by other sources of revenue."

35 2. Page 8, line 13, by striking the word and
36 figure "seven (7)" and inserting in lieu thereof the
37 word and figure "eight (8)".

38 3. Page 8, line 20, by striking the word and
39 figure "seven (7)" and inserting in lieu thereof the
40 word and figure "eight (8)".

41 4. Page 8, lines 25 and 26, by striking the word
42 and figure "seven (7)" and inserting in lieu thereof
43 the word and figure "eight (8)".

44 5. Page 9, line 4, by striking the word and figure
45 "seven (7)" and inserting in lieu thereof the word
46 and figure "eight (8)".

BRUNER of Story
RAPP of Black Hawk

H—3137

1 Amend House File 81 as follows:

2 1. Page 7, by inserting after line 28 the
3 following new section:

4 "Sec. . NEW SECTION. RELOCATION PAYMENTS.

5 Upon application to it and after verification by it,
6 the city shall provide relocation payments to or
7 with respect to persons, including families, busi-
8 ness concerns and others displaced as a result of
9 improvements made in a designated revitalization
10 area. The payments shall be made for moving ex-
11 penses and losses of property for which reimburse-
12 ment or compensation has not otherwise been
13 provided. In addition, the city shall provide
14 rent supplements to families who are forced to
15 relocate because of improvements made within the
16 area, if necessary in order to house the family
17 in decent, safe and sanitary housing and if the
18 family does not have sufficient means, as deter-
19 mined by the city, to pay the required rent for
20 such housing and if reimbursement or compensation
21 has not otherwise been provided. A rent supple-
22 ment for a person shall not continue for more
23 than five years.

24 The city may require persons causing other per-
25 sons to be displaced to pay the relocation pay-
26 ments or rent supplements provided in this section
27 as a condition for receiving tax exemptions under

28 this Act. The state shall reimburse the city in
 29 the amount of 50% of the relocation payments and
 30 rent supplements paid directly by the city not
 31 covered by other sources of revenue."

BRUNER of Story
 BINA of Scott

H-3140

1 Amend amendment H-3137, to House File 81, as
 2 follows:
 3 1. Page 1, by striking lines 28 through 31 and
 4 inserting in lieu thereof the following: "this Act."

SPEAR of Lee

H-3152

1 Amend House File 81 as follows:
 2 1. Page 4, line 4, by inserting after the word
 3 "exemption" the words ", or in the case of owner-
 4 occupied residential property a two hundred percent
 5 exemption,".
 6 2. Page 4, line 6, by inserting after the word
 7 "years." the words "However, the granting of the two
 8 hundred percent exemption shall not result in the
 9 actual value of the qualified real estate being reduced
 10 below the actual value on which the homestead credit
 11 is computed under section four hundred twenty-five
 12 point one (425.1) of the Code."
 13 3. Page 8, by inserting after line 5 the following
 14 section:
 15 "Sec. 8. NEW SECTION. Each assessor shall submit
 16 a separate list to the county auditor as a part of
 17 the tax list which is certified pursuant to section
 18 four hundred forty-three point twenty-one (443.21)
 19 of the Code. The separate list shall identify each
 20 parcel of residential property which is owner-occupied,
 21 which has been granted an exemption from taxation
 22 under sections one (1) through eight (8) of this Act
 23 and for which the exemption provided in subsection
 24 one (1) of section three (3) of this Act applies,
 25 the amount of the valuation which is exempted, and
 26 one-third of the amount of the valuation which is
 27 exempted and for which the state will provide
 28 reimbursement. The county auditor shall include the
 29 valuation for which a state reimbursement will be
 30 paid with the valuation of all other property in the
 31 county which will be subject to the property tax prior
 32 to the computation of the levy pursuant to chapter

33 four hundred forty-four (444) of the Code for each
 34 political subdivision which levies a tax against the
 35 valuation of that property. The county treasurer
 36 shall levy the tax against one-third of the amount
 37 of the valuation of the property which is exempted
 38 under sections one (1) through eight (8) of this Act
 39 and for which the state will provide reimbursement,
 40 such reimbursement shall not exceed six hundred dollars
 41 for any parcel, and shall certify the amount of taxes
 42 due to the treasurer of state who shall issue a warrant
 43 in the amount of taxes due to the county treasurer.
 44 The county treasurer shall apportion the funds received
 45 in the manner required to the respective taxing
 46 districts which might otherwise have levied taxes
 47 against the valuation of the property had it not been
 48 granted an exemption under sections one (1) through
 49 eight (8) of this Act. There is appropriated from
 50 the general fund of the state an amount sufficient

Page 2

- 1 to carry out the provisions of this section.”
 2 4. Page 8, line 13, by striking the word and
 3 figure “seven (7)” and inserting in lieu thereof the
 4 word and figure “eight (8)”.
 5 5. Page 8, line 20, by striking the word and
 6 figure “seven (7)” and inserting in lieu thereof the
 7 word and figure “eight (8)”.
 8 6. Page 8, lines 25 and 26, by striking the word
 9 and figure “seven (7)” and inserting in lieu thereof
 10 the word and figure “eight (8)”.
 11 7. Page 9, line 4, by striking the word and figure
 12 “seven (7)” and inserting in lieu thereof the word
 13 and figure “eight (8)”.
 14 8. Amend the title, line 4, by inserting after
 15 the word “areas” the words “and making an
 16 appropriation”.

NORLAND of Worth
 BINA of Scott
 ANDERSON of Jasper

H—3153

- 1 Amend House File 81 as follows:
 2 1. Page 4, line 4, by inserting after the word
 3 “exemption” the words “, or in the case of owner-
 4 occupied residential property a two hundred percent
 5 exemption.”
 6 2. Page 4, line 6, by inserting after the word
 7 “years.” the words “However, the granting of the two
 8 hundred percent exemption shall not result in the

9 actual value of the qualified real estate being reduced
10 below zero."

11 3. Page 8, by inserting after line 5 the following
12 section:

13 "Sec. 8. NEW SECTION. Each assessor shall submit
14 a separate list to the county auditor as a part of
15 the tax list which is certified pursuant to section
16 four hundred forty-three point twenty-one (443.21)
17 of the Code. The separate list shall identify each
18 parcel of residential property which is owner-occupied,
19 which has been granted an exemption from taxation
20 under sections one (1) through eight (8) of this Act
21 and for which the exemption provided in subsection
22 one (1) of section three (3) of this Act applies,
23 the amount of the valuation which is exempted, and
24 one-half of the amount of the valuation which is
25 exempted and for which the state will provide
26 reimbursement. The county auditor shall include the
27 valuation for which a state reimbursement will be
28 paid with the valuation of all other property in the
29 county which will be subject to the property tax prior
30 to the computation of the levy pursuant to chapter
31 four hundred forty-four (444) of the Code for each
32 political subdivision which levies a tax against the
33 valuation of that property. The county treasurer
34 shall levy the tax against one-half of the amount
35 of the valuation of the property which is exempted
36 under sections one (1) through eight (8) of this Act
37 and for which the state will provide reimbursement,
38 such reimbursement shall not exceed six hundred dollars
39 for any parcel, and shall certify the amount of taxes
40 due to the treasurer of state who shall issue a warrant
41 in the amount of taxes due to the county treasurer.
42 The county treasurer shall apportion the funds received
43 in the manner required to the respective taxing
44 districts which might otherwise have levied taxes
45 against the valuation of the property had it not been
46 granted an exemption under sections one (1) through
47 eight (8) of this Act. There is appropriated from
48 the general fund of the state an amount sufficient
49 to carry out the provisions of this section."

50 4. Page 8, line 13, by striking the word and

Page 2

1 figure "seven (7)" and inserting in lieu thereof the
2 word and figure "eight (8)".

3 5. Page 8, line 20, by striking the word and
4 figure "seven (7)" and inserting in lieu thereof the
5 word and figure "eight (8)".

6 6. Page 8, lines 25 and 26, by striking the word
7 and figure "seven (7)" and inserting in lieu thereof

- 8 the word and figure "eight (8)".
 9 7. Page 9, line 4, by striking the word and figure
 10 "seven (7)" and inserting in lieu thereof the word
 11 and figure "eight (8)".
 12 8. Amend the title, line 4, by inserting after
 13 the word "areas" the words "and making an
 14 appropriation".

NORLAND of Worth
 BINA of Scott
 ANDERSON of Jasper

H-3155

- 1 Amend amendment H-3136, to House File 81, as
 2 follows:
 3 1. Page 1, by striking lines 31 through 34
 4 and inserting in lieu thereof the following:
 5 (").

SPEAR of Lee

H-3157

- 1 Amend House File 102 as follows:
 2 1. Page 1, by striking line 35 through page 2,
 3 line 1, and inserting in lieu thereof the following:
 4 "Sec. 3. This Act, being deemed of immediate
 5 importance, shall take effect from and after its
 6 publication in The Iowegian & Citizen, a newspaper
 7 published in Centerville, Iowa and in the West Point
 8 Bee, a newspaper published in West Point, Iowa."

SPEAR of Lee
 JAY of Appanoose

H-3159

- 1 Amend the amendment, H-3137, to House File 81 as
 2 follows:
 3 1. Page 1, line 8, by inserting after the word
 4 "concerns" the words ", mobile home owners, including
 5 the mobile home,".
 6 2. Page 1, line 14, by inserting after the word
 7 "families" the words ", including those living in
 8 mobile homes,".
 9 3. Page 1, line 17, by inserting after the word
 10 "housing" the words "or mobile home parks".
 11 4. Page 1, line 20, by inserting after the word
 12 "housing" the words "or mobile home park".

MILLER of Buchanan

H—3160

1 Amend amendment H—3114, to page 3 of House File
2 81 as follows:

3 1. Page 1, by striking lines 2 through 17 and
4 inserting in lieu thereof the following:

5 "1. Page 3, lines 1 and 2, by striking the words
6 and figure "or three (3)" and inserting in lieu
7 thereof the words and figures ", three (3) or four
8 (4)".

9 2. Page 4, by striking lines 1 through 6 and
10 inserting in lieu thereof the following: "property
11 is eligible to receive an exemption from taxation
12 based on the actual value, not to exceed twenty
13 thousand dollars, added by the improvements. The
14 exemption is for a period of ten years. The amount
15 of the exemption is equal to a percent of the actual
16 value, not to exceed twenty thousand dollars, added
17 by the improvements, determined as follows:

- 18 a. For the first year, two hundred percent.
- 19 b. For the second year, two hundred percent.
- 20 c. For the third year, two hundred percent.
- 21 d. For the fourth year, two hundred percent.
- 22 e. For the fifth year, one hundred eighty percent.
- 23 f. For the sixth year, one hundred sixty percent.
- 24 g. For the seventh year, one hundred forty percent.
- 25 h. For the eighth year, one hundred twenty percent.
- 26 i. For the ninth year, one hundred ten percent.
- 27 j. For the tenth year, one hundred percent.

28 However, the granting of the exemption shall not
29 result in the actual value of the qualified real
30 estate being reduced below the actual value on which
31 the homestead credit is computed under section four
32 hundred twenty-five point one (425.1) of the Code."

33 3. Page 4, by inserting after line 26 the following
34 subsection:

35 "4. All qualified real estate assessed as
36 commercial property, consisting of three or more
37 separate living quarters with at least seventy-five
38 percent of the space used for residential purposes,
39 is eligible to receive a one hundred percent exemption
40 from taxation on the value added by the improvements.
41 The exemption is for a period of ten years."

42 4. Page 4, line 30, by striking the words and
43 figure "or three (3)" and inserting in lieu thereof
44 the words and figures ", three (3) or four (4)".

45 5. Page 4, line 34, by striking the words and
46 figure "or three (3)" and inserting in lieu thereof
47 the words and figures ", three (3) or four (4)".

48 6. Page 6, line 24, by striking the words and
49 figure "or three (3)" and inserting in lieu thereof
50 the words and figures ", three (3) or four (4)".

Page 2

- 1 7. Page 7, line 25, by striking the words and
- 2 figure "or three (3)" and inserting in lieu thereof
- 3 the words and figures ", three (3) or four (4)".

NORLAND of Worth
 ANDERSON of Jasper
 AVENSON of Fayette
 BRANDT of Black Hawk
 BYERLY of Polk
 CONNORS of Polk
 DIELEMAN of Marion
 GROTH of Buena Vista
 HALVORSON of Webster
 HOWELL of Floyd
 JAY of Appanoose
 PATCHETT of Johnson
 PERKINS of Greene
 SPEAR of Lee
 WELLS of Linn
 WOODS of Polk

BINA of Scott
 ARNOULD of Scott
 BINNEBOESE of Plymouth
 BRUNER of Story
 COCHRAN of Webster
 CUSACK of Scott
 DOYLE of Woodbury
 HALL of Linn
 HORN of Linn
 HULLINGER of Decatur
 O'KANE of Woodbury
 PAVICH of Pottawattamie
 SHERZAN of Polk
 WALTER of Pottawattamie
 WELSH of Dubuque

H-3167

- 1 Amend amendment H-3122B to House File 81 as
- 2 follows:
- 3 1. Page 1, line 9 by inserting after the word "area."
- 4 the words "Notwithstanding the provisions of section
- 5 362.3 Code 1979, such notice shall be given by the
- 6 fourteenth day prior to the public hearing."

BINA of Scott

H-3168

- 1 Amend the amendment, H-3158, to House File 81 as
- 2 follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "expenses" the words "to a location within the state".

MILLER of Buchanan

H-3175

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 24, by striking lines 24
- 3 through 28.

CONNOLLY of Dubuque

H-3180

- 1 Amend House File 43 as follows:
- 2 1. Page 1, by striking lines 10 through 13 and
- 3 inserting in lieu thereof the following: "the
- 4 contract with the specific objections noted."

CONNOLLY of Dubuque

H-3188

- 1 Amend House File 169 as follows:
- 2 1. Page 1, line 9, by striking the words "student
- 3 residence halls, dormitories,"
- 4 2. Page 1, line 23, by striking the words
- 5 "residence halls, dormitories,"
- 6 3. Page 1, line 28, by striking the words "student
- 7 residence halls, dormitories, and".
- 8 4. Page 2, by striking lines 3, 4, and 5 and
- 9 inserting in lieu thereof the words: "The board shall
- 10 adopt a schedule of charges".
- 11 5. Page 2, line 6, by striking the words "residence
- 12 halls, dormitories,"
- 13 6. Page 3, lines 23 and 24, by striking the words
- 14 "residence halls, dormitories".
- 15 7. Page 4, line 18, by striking the words
- 16 "residence halls, dormitories or".
- 17 8. Page 5, line 2, by striking the words "residence
- 18 halls, dormitories,"
- 19 9. Page 5, lines 23 and 24, by striking the words
- 20 "residence halls, dormitories, and".
- 21 10. Page 5, line 31, by striking the words
- 22 "residence halls, dormitories, and".
- 23 11. Page 6, lines 12 and 13, by striking the words
- 24 "residence halls, dormitories, and".
- 25 12. Page 6, line 33, by striking the words
- 26 "residence halls, dormitories, and".
- 27 13. Amend the title, line 2, by striking the words
- 28 "student residence halls, dormitories, and".

BRANDT of Black Hawk

H-3195

- 1 Amend amendment H-3154, to page 3 of Senate
- 2 Concurrent Resolution 3, as follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 " . Page 10, line 18, by inserting after the

- 6 second word "bills," the following: "bills or joint
7 resolutions co-sponsored by the majority and minority
8 floor leaders, sifting committee bills,".

SCHROEDER of Pottawattamie
HARBOR of Mills
HALVORSON of Clayton
POPE of Polk

H-3196

- 1 Amend House File 53 as follows:
2 1. Page 2, by striking lines 31 and 32.

DOYLE of Woodbury
SCHROEDER of Pottawattamie

H-3200

- 1 Amend House File 187 as follows:
2 1. Page 1, line 5, by striking the words "A motor
3 vehicle" and inserting in lieu thereof the following:
4 "1. A motor vehicle".
5 2. Page 1, line 12, by striking the word "section"
6 and inserting in lieu thereof the word "subsection".
7 3. Page 1, line 19, by striking the word "section"
8 and inserting in lieu thereof the word "subsection".
9 4. Page 1, by inserting after line 19 the fol-
10 lowing:
11 "2. A motor vehicle designed to carry nine
12 passengers or more which is owned and used primarily
13 by a church or religious organization to transport
14 children to and from a school operated by the church
15 or religious organization or to and from activities
16 of or sponsored by the school is exempt from motor
17 vehicle registration fee except as provided in this
18 subsection. Upon application and payment of an annual
19 fee of five dollars, the department shall issue a
20 registration certificate and shall also issue
21 registration plates upon which the words "Church
22 School Bus" and a distinguishing number assigned to
23 the applicant are printed. The plates shall be
24 attached to the front and rear of each vehicle
25 registered under this subsection. A church school
26 bus may be used occasionally for other purposes related
27 to activities of or sponsored by the church or
28 religious organization owning it without being
29 disqualified from registration under this subsection."

JOHNSON of Woodbury

H—3201

- 1 Amend House File 43 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "supervisors" the words "of a county having a full-
4 time county attorney".
5 2. Page 1, line 24, by inserting after the word
6 "auditor" the words "of a county having a full-time
7 county attorney".

DIELEMAN of Marion

H—3202

- 1 Amend House File 43 as follows:
2 1. Page 1, line 4, by inserting before the word
3 "Before" the figure "1."
4 2. Page 1, by inserting after line 13 the
5 following:
6 "2. The county is entitled to reimbursement from
7 the state for additional costs incurred under
8 subsection one (1) of this section. Upon proper
9 application, the state comptroller shall issue warrants
10 to pay the reimbursement claims. The reimbursement
11 claim forms shall be supplied and contain the
12 information required by the state comptroller.
13 3. There is appropriated from funds in the general
14 fund of the state, not otherwise appropriated, a sum
15 sufficient to pay the reimbursement claims as provided
16 in this section."

DIELEMAN of Marion

H—3205

- 1 Amend House File 43 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "void." the following: "This section applies only
4 to contracts having a value of fifty thousand dollars
5 or more."
6 2. Page 1, line 28, by inserting after the word
7 "supervisors." the following: "This subsection applies
8 only to contracts having a value of fifty thousand
9 dollars or more."

HINKHOUSE of Cedar

H—3206

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "supervisors," the words "with the exception of
- 4 secondary road and farm to market road contracts,".
- 5 2. Page 1, line 25, by inserting after the word
- 6 "contract" the words "with the exception of
- 7 secondary road and farm to market road contracts,".

DANKER of Pottawattamie
BINNEBOESE of Plymouth

H—3207

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 3, by striking the word "APPROVAL"
- 3 and inserting in lieu thereof the word "REVIEW".
- 4 2. Page 1, by striking lines 4 through 13 and
- 5 inserting in lieu thereof the following: "Before
- 6 final action to execute a contract is taken by a board
- 7 of supervisors, the contract shall be submitted to
- 8 the county attorney for review of its form and
- 9 technical correctness. If a contract has legal or
- 10 technical errors, the county attorney shall return
- 11 the contract with the specific objections noted."
- 12 3. Page 1, line 25, by striking the word "approved"
- 13 and inserting in lieu thereof the word "reviewed".
- 14 4. Amend the title, line 1, by striking the words
- 15 "and approval".

MILLER of Buchanan

H—3208

- 1 Amend House File 161 as follows:
- 2 1. Page 1, line 10, by striking the word
- 3 "illegitimate" and inserting in lieu thereof the word
- 4 "illegitimate".
- 5 2. Page 1, line 10, by inserting after the word
- 6 "daughters" the words "born out of wedlock".

TYRRELL of Iowa

H—3209

- 1 Amend House File 169 as follows:
- 2 1. Page 8, line 17, by inserting after the word
- 3 "project" the words "does not duplicate existing
- 4 facilities in either the public or private sector

- 5 which would be available for lease by the board of
6 the institution, that the proposed project".

SCHNEKLOTH of Scott

H—3211

- 1 Amend House File 43 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "void." the following: "This section applies only
4 to contracts having a value of more than twenty-five
5 thousand dollars."
6 2. Page 1, line 28, by inserting after the word
7 "supervisors." the following: "This subsection applies
8 only to contracts having a value of more than twenty-
9 five thousand dollars."

DE GROOT of Lyon
RITSEMA of Sioux
BRANSTAD of Winnebago

H—3212

- 1 Amend House File 43 as follows:
2 1. Page 1, by striking lines 1 through 28 and
3 inserting in lieu thereof the following:
4 "Section 1. NEW SECTION. APPROVAL OF PUBLIC
5 CONTRACTS BY AN ATTORNEY. Before final action to
6 execute a contract is taken by the governing body
7 of a political subdivision of this state, the con-
8 tract shall be submitted to an attorney for review
9 and approval of its form and technical correctness.
10 If a contract is approved as to form and technical
11 correctness, the attorney shall certify the approval
12 in writing to the governing body. If the contract
13 is disapproved, the contract shall be returned to
14 the governing body with the specific objections noted.
15 A final action taken by the governing body of a
16 political subdivision to execute a contract which
17 has not been approved as to its form and technical
18 correctness by an attorney is void. If the governing
19 body of a political subdivision is not otherwise pro-
20 vided by law with the services of an attorney, the
21 governing body shall obtain the services of an attorney
22 for the purposes of this Act.
23 Sec. 2. NEW SECTION. DISBURSING FUNDS FOR CON-
24 TRACTUAL OBLIGATIONS. A public officer or employee
25 authorized to disburse funds to satisfy contracts
26 for the governing body of a political subdivision
27 shall not sign or issue a warrant to satisfy a con-
28 tract unless the contract has been approved as to

29 form and technical correctness by the attorney as
30 provided in section one (1) of this Act before
31 final action to execute the contract has been taken
32 by the governing body of the political subdivision."
33 2. Amend the title, lines 1 and 2, by striking
34 the words "county contracts by the county attorney"
35 and inserting in lieu thereof the words "contracts
36 to be executed by political subdivisions of this
37 state".

HUSAK of Tama

H-3213

1 Amend House File 98 as follows:
2 1. Page 1, line 12, by striking the words "words
3 and" and inserting in lieu thereof the words "words
4 and".
5 2. Page 1, lines 13 and 14, by striking the words
6 "the per gallon rate of any tax added to the product
7 price," and inserting in lieu thereof the words "the
8 per gallon rate of any tax added to the product
9 price,".

DOYLE of Woodbury

H-3214

1 Amend Senate File 70 as follows:
2 1. Page 6, by inserting after line 10 the follow-
3 ing new section:
4 "NEW SECTION. TAXATION. A senior judge, a person
5 who has served as a senior judge for a period of at
6 least twelve months, or a retired senior judge, or
7 a survivor of any of these, who receives an annuity
8 from the Iowa judicial retirement system fund, and
9 whose net income, as defined in section four hundred
10 twenty-two point seven (422.7) of the Code, is
11 sufficient to require that the tax be imposed upon
12 it under section four hundred twenty-two point five
13 (422.5) of the Code, may determine final taxable
14 income for purposes of imposition of the tax by
15 excluding the amount of an annuity received from the
16 Iowa judicial retirement system fund, which is not
17 already excluded in determining net income, as defined
18 in section four hundred twenty-two point seven (422.7)
19 of the Code, up to a maximum each tax year of five
20 thousand seven hundred sixty dollars for a person
21 who files a separate state income tax return and eight
22 thousand six hundred forty dollars total for a husband
23 and wife who file a joint state income tax return.

24 The amount of the exemption shall be reduced by the
 25 amount of any social security benefits received.
 26 For the purpose of this section, the amount of an
 27 annuity received from the Iowa judicial retirement
 28 system fund taxable under the Internal Revenue Code
 29 of 1954 shall be included in net income for purposes
 30 of determining eligibility under the four thousand
 31 dollar or less exclusion."

SPEAR of Lee

H-3215

1 Amend House File 210 as follows:
 2 1. Page 1, by striking lines 3 through 11 and
 3 inserting in lieu thereof the following:
 4 "NEW SECTION. PROPERTY USED IN THE PRODUCTION
 5 OF GRAIN ALCOHOL.
 6 1. Any property or structure used or constructed
 7 for the purpose of manufacturing grain alcohol
 8 distilled from agricultural products, which will be
 9 used in combination with motor fuel as defined in
 10 chapter three hundred twenty-four (324) of the Code
 11 to produce grain alcohol fuel commonly referred to
 12 as "gasohol" or "ethanol", is exempt from property
 13 taxes."

DAGGETT of Taylor

H-3222

1 Amend House File 224 as follows:
 2 1. Page 2, by inserting after line 17 the
 3 following:
 4 "g. The commission may by rule prohibit the use
 5 of trotlines or throw lines in waters of the state
 6 other than the border rivers."
 7 2. Page 2, by inserting before line 18 the follow-
 8 ing:
 9 "Sec. 3. Section one hundred nine point seventy-
 10 four (109.74), Code 1979, is repealed."
 11 3. By renumbering the sections to conform to this
 12 amendment.

SPEAR of Lee

H-3227

1 Amend Senate Joint Resolution 1 as follows:
 2 1. Page 1, line 34, by inserting after the word
 3 "states" the words and figures "before July 1, 1980".
 4 2. Page 2, line 3, by inserting after the word

5 "Alternatively," the words and figures "effective
 6 July 1, 1980, if the Congress of the United States
 7 has not proposed and submitted to the several states
 8 an amendment as provided in section one (1) of this
 9 resolution,".
 10 3. Page 2, line 9, by striking the word "This"
 11 and inserting in lieu thereof the words and figures
 12 "Effective July 1, 1980, this".
 13 4. Page 2, line 16, by inserting after the word
 14 "resolution," the words and figures "or if before
 15 July 1, 1980, the general assembly repeals this
 16 application to call a constitutional convention,".
 17 5. Page 2, line 28, by inserting after the word
 18 "Constitution" the words and figures "if the Congress
 19 of the United States has not proposed and submitted
 20 to the several states an amendment as provided in
 21 section one (1) of this resolution before July 1,
 22 1980".

EVANS of Grundy
 WELLS of Linn
 CRABB of Crawford
 HUSAK of Tama
 SCHROEDER of Pottawattamie
 HALL of Linn
 MILLER of Buchanan
 WEST of Marshall
 CONLON of Muscatine

H-3229

1 Amend House Joint Resolution 1 as follows:
 2 1. Page 2, by inserting after line 22 the
 3 following:
 4 "Sec. . This application and petition shall
 5 be deemed null and void, rescinded, and of no effect
 6 if for any fiscal year the state budget provides for
 7 expenditures in that fiscal year in excess of the
 8 state revenues obtained in that fiscal year."
 9 2. By renumbering the sections to conform to this
 10 amendment.

HORN of Linn

H-3230

1 Amend Senate Joint Resolution 1 as follows:
 2 1. Page 1, line 19, by striking the word "con-
 3 stitutional".
 4 2. Page 1, line 21, by striking the word "and"

- 5 and inserting in lieu thereof the words "*Now*
6 *Therefore*,"
- 7 3. Page 1, by striking lines 22 through 30.
- 8 4. Page 1, by striking lines 34 and 35 and insert-
9 ing in lieu thereof the words "in the Congress to
10 balance the federal budget in the absence of a national
11 emergency."
- 12 5. Page 2, by striking lines 1 through 28.
- 13 6. Renumber the remaining section.
- 14 7. Title page, by striking lines 2 through 7 and
15 inserting in lieu thereof the words "action by the
16 Congress to balance the federal budget with certain
17 exceptions."

HALVORSON of Webster
WALTER of Pottawattamie

H—3232

- 1 Amend House Joint Resolution 1 as follows:
- 2 1. Page 1, line 3, by striking the word
3 "available".
- 4 2. Page 1, line 4, by inserting after the word
5 "dollars" the words "with the interest on such debt
6 approaching ten percent of the federal budget".
- 7 3. Page 1, line 8, by striking the words "available
8 revenues" and inserting in lieu thereof the words
9 "revenues or to raise taxes to balance the budget".
- 10 4. Page 1, lines 17 and 18, by striking the words
11 "with the inflation which results from this policy"
12 and inserting in lieu thereof the words "which is
13 the major factor contributing to the declining
14 purchasing power of the dollar".

HOWELL of Floyd

H—3233

- 1 Amend House File 222 as follows:
- 2 1. Page 1, by striking lines 1 through 6 and
3 inserting in lieu thereof the following:
- 4 "Section 1. There is appropriated from the
5 general fund of the state to the Iowa development
6 commission for the fiscal year commencing July 1,
7 1979 and ending June 30, 1980 the sum of one hundred
8 thousand (100,000) dollars for the purpose of hiring
9 a staff person and implementing programs that will
10 promote the development of the gasohol industry in
11 Iowa.
- 12 Sec. 2. The duties of the staff person
13 established under section one (1) of this act will

14 include:

15 1. Studying the existing and future market
16 potential of gasohol and its production byproducts,
17 2. Remaining current and knowledgeable on factors
18 influencing investment possibilities within the state
19 for the development of a grain alcohol plant,
20 and

21 3. Developing and directing programs that promote
22 gasohol as an alternate fuel.

23 Sec. 3. It is the intent of the general assembly
24 that this money be used for staffing and implementing
25 a grain alcohol promotion program, the main purpose
26 of which is to aid in establishing a grain alcohol
27 distillation plant in Iowa."

DAGGETT of Taylor

H-3234

1 Amend House File 224 as follows:

2 1. Page 2, by inserting before line 18 the
3 following:

4 "Sec. 3. Section one hundred nine point one hundred
5 eight (109.108), Code 1979, is amended to read as
6 follows:

7 109.108 MESH SIZE AND HOOK LIMIT. It shall be
8 unlawful for any person to fish with or to use any
9 trammel net having a mesh of less than two inches
10 square or bar measure, or to fish with or use a gill
11 net having a mesh of less than three and three-quarters
12 inches square or bar measure, or to use in the
13 Mississippi or Missouri rivers, basket traps, with
14 the end opposite the throat having a hole of less
15 than one and one-half inches in diameter or commercial
16 trotlines with more than one hundred hooks. Such
17 measurements shall apply to meshes when in use and
18 no allowance shall be made for shrinkage due to any
19 cause. Any commercial fishing equipment in use shall
20 be subject to inspection by the commission or its
21 authorized agents at any time."

22 2. Page 2, by inserting before line 18 the
23 following:

24 "Sec. 4. Section one hundred nine point one hundred
25 ten (109.110), Code 1979, is amended to read as
26 follows:

27 109.110 TRAPS AND TROT LINES ON BORDER RIVERS.

28 It shall be lawful to operate in the Mississippi and
29 Missouri rivers, one basket trap and one commercial
30 trotline provided the operator has purchased a regular
31 fishing license that is required in section 110.1,
32 and pays the regular fee of one dollar for each basket

33 trap or commercial trotline. Each trap and commercial
 34 trotline must have attached thereto an identification
 35 tag as required in section 109.107."

36 3. By renumbering the sections to conform to this
 37 amendment.

SPEAR of Lee

H-3235

1 Amend House File 224 as follows:

2 1. Page 2, by inserting before line 18 the
 3 following:

4 "Sec. 3. Section one hundred nine point one hundred
 5 seven (109.107), Code 1979, is amended to read as
 6 follows:

7 109.107 SEINING - CLOSED WATERS. It shall be
 8 lawful to use seines, dip nets, trammel nets, gill
 9 nets, basket traps, hoop nets, wing nets, pound, fyke
 10 and trap nets and commercial trotlines in the Missouri
 11 river or Mississippi river, except as hereinafter
 12 provided in this section but only when such nets,
 13 seines, traps or commercial trotlines have been
 14 properly licensed, and properly tagged, in accordance
 15 with the provisions of chapter 110, and of this
 16 section, and only when such nets, seines, traps or
 17 trotlines comply with the provisions of law and at
 18 such times and in such manner and for the taking of
 19 such species of fish as are permitted by law.

20 It shall be unlawful for any person to place any
 21 net or seine, trap or commercial trotline of any kind
 22 within one hundred yards of the mouth of any tributary
 23 stream emptying into the Mississippi river or Missouri
 24 river or within three hundred yards from the farthest
 25 projection of any dam in the Mississippi river and
 26 Missouri river.

27 All licensed nets, seines, basket traps or
 28 commercial trotlines shall have attached a metal tag
 29 identifying the equipment and license for its use.
 30 Tags must at all times be attached to commercial
 31 fishing gear and officers appointed by the commission
 32 shall have authority to confiscate any such commercial
 33 fishing gear when found in use without such tags
 34 attached. Identification tags shall be furnished
 35 by the commission and a charge of ten cents shall
 36 be made for each tag and such tags shall be renewed
 37 annually.

38 It shall be unlawful for fish peddlers, wholesale
 39 fish markets, jobbing houses or other places for the
 40 wholesale or retail marketing of fish to have in
 41 possession catfish under the legal thirteen inch

- 42 commercial size limit provided in Iowa laws."
- 43 2. By renumbering the sections to conform to this
- 44 amendment.

SPEAR of Lee \

H-3238

- 1 Amend Senate File 158 as follows:
- 2 1. Page 17, line 7, by inserting after the word
- 3 "loan" the words "exceeding seventy-five thousand
- 4 dollars in principal".
- 5 2. Page 17, line 10, by inserting after the word
- 6 "loan" the words "exceeding seventy-five thousand
- 7 dollars in principal".

JOHNSON of Linn \

H-3242

- 1 Amend amendment H-3235 to House File 224 as
- 2 follows:
- 3 1. Page 1, by inserting after line 19 the
- 4 following:
- 5 "Commercial fishing gear shall be checked by
- 6 the owner or operator at least every seventy-two
- 7 hours and the commission may require more frequent
- 8 checking on inland waters."

SPEAR of Lee

H-3243

- 1 Amend House File 356 as follows:
- 2 1. Page 1, line 23, by striking the word
- 3 "shall" and inserting in lieu thereof the word
- 4 "may".

SPEAR of Lee

H-3245

- 1 Amend House File 418 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "district" the following: "but not less than
- 4 twenty-five persons."

THOMPSON of Polk

H—3251

- 1 Amend House File 173 as follows:
 2 1. Page 1, line 9, by inserting after the word
 3 "Code" the words "except that the question shall not
 4 be submitted at a city primary or runoff election."

CRAWFORD of Story

H—3255

- 1 Amend House File 498 as follows:
 2 1. Page 1, line 13, by striking the words "two
 3 hundred fifty" and inserting in lieu thereof the words
 4 "eight hundred seventy-five".
 5 2. Page 1, line 21, by striking the words "one
 6 thousand eight hundred seventy-five" and inserting
 7 in lieu thereof the words "two thousand five hundred".

SPEAR of Lee

H—3256

- 1 Amend House File 114 as follows:
 2 1. Page 1, line 2, by striking the following:
 3 "paragraph h" and inserting in lieu thereof the
 4 following: "paragraphs h and j".
 5 2. Page 1, by inserting after line 6 the
 6 following:
 7 "j. The board of cosmetology examiners, created
 8 pursuant to chapter 147 except that this board is
 9 not subject to section two hundred fifty-eight A
 10 point two (258A.2) of the Code."
 11 3. Amend the title, line 2, by inserting after
 12 the word "barbers" the words "and cosmetologists".

THOMPSON of Polk

H—3268

- 1 Amend House File 498 as follows:
 2 1. Page 1, by striking lines 32 through 35 and
 3 inserting in lieu thereof the words "of this paragraph
 4 may be reduced by the county board of adjustment in
 5 counties where a county zoning ordinance is in effect
 6 pursuant to the provisions of chapter three hundred
 7 fifty-eight A (358A) of the Code, by the board of
 8 supervisors if the lagoon is to be located outside
 9 a city's zoning jurisdiction and a county zoning
 10 ordinance has not been adopted, and by the city board
 11 of adjustment if the lagoon is to be located within
 12 a city's zoning jurisdiction and a city zoning
 13 ordinance is in effect pursuant to the provisions
 14 of chapter four hundred fourteen (414) of the Code".

- 15 2. Page 2, by striking line 1 and inserting in
 16 lieu thereof the words "if the reduction is".
 17 3. Page 2, by striking line 5 and inserting in
 18 lieu thereof the words "distances, the county board
 19 of adjustment, the board of supervisors, or the city
 20 board of adjustment, as appropriate."

SPEAR of Lee

H-3269

- 1 Amend House File 613 as follows:
 2 1. Page 1, line 7, by striking the words "means
 3 affliction with" and inserting in lieu thereof the
 4 word "describes".
 5 2. Page 1, line 10, by striking the word
 6 "afflicted".
 7 3. Page 1, line 17, by inserting after the word
 8 "marriage" the words ", and which is not subject to
 9 any limitation as to the number of kitchens or
 10 bathrooms contained within the structure".
 11 4. Page 1, by striking lines 28 and 29.

CONNORS of Polk

H-3283

- 1 Amend House File 452 as follows:
 2 1. Page 1, by inserting after line 10 the
 3 following:
 4 "Sec. Section three hundred twenty-one
 5 point two hundred thirty-six (321.236), subsection
 6 one (1), paragraph b, Code 1979, is amended to
 7 read as follows:
 8 b. Notwithstanding any such ordinance, may
 9 be prosecuted under the provisions of sections
 10 805.7 to 805.13 or as any other traffic violation.
 11 b. In the absence of any such ordinance,
 12 shall be prosecuted under the provisions of
 13 sections 805.7 to 805.13. However, when a city
 14 has by ordinance authorized a fine to be charged
 15 and collected upon a simple notice of a fine, such
 16 a city shall also by ordinance set penalties for
 17 failure to pay a fine upon simple notice of a fine.
 18 Such penalties shall not exceed a one hundred dollar
 19 fine or thirty days in jail, and such failure to
 20 pay shall only be prosecuted under the provisions
 21 of sections 805.1 to 805.5."

LARSEN of Wapello

H-3287

- 1 Amend House File 498 as follows:
 2 1. Page 1, by striking line 32 and inserting in
 3 lieu thereof the words "of this paragraph may be

- 4 reduced as to the existing or proposed lagoon in
 5 question by the board of adjustment".
 6 2. Page 2, line 5, by striking the word "distances"
 7 and inserting in lieu thereof the word "distance".
 8 3. Page 2, by striking lines 7 through 9 and
 9 inserting in lieu thereof the words "distances to
 10 landowners of record whose land is located within
 11 the applicable separation distance of the lagoon in
 12 question, and upon the request".

SCHROEDER of Pottawattamie

H-3292

- 1 Amend amendment H-3284 to Senate File 81, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by striking lines 3 through 33 and
 4 inserting in lieu thereof the following:
 5 "1. Page 1, by inserting after line 9 the
 6 following new section:
 7 "Sec. . Section three hundred six C point
 8 eleven (306C.11), Code 1979, is amended by adding
 9 the following new subsection:
 10 NEW SUBSECTION. Advertising devices pertaining to
 11 natural wonders and scenic and historic attractions of
 13 primary interest to tourists, which shall conform
 13 with rules promulgated by the department. However,
 14 no person shall erect or cause to be erected more
 15 than three such advertising devices which advertise
 16 any single attraction under this section."
 17 2. By renumbering as necessary."

TOFTE of Winneshiek
 HALVORSON of Clayton
 AVENSON of Fayette
 SHIMANEK of Jones
 HANSON of Delaware

H-3294

- 1 Amend House File 626 as follows:
 2 1. Page 6, by striking lines 19 through 32 and
 3 inserting in lieu thereof the words "in accordance
 4 with the requirements of section thirteen (13) of
 5 this Act."
 6 2. Page 11, by inserting after line 27 the
 7 following new section and renumbering the succeeding
 8 section accordingly:
 9 "Sec. 13. Chapter fifty-six (56), Code 1979, is
 10 amended by inserting after section fifty-six point
 11 thirteen (56.13) the following new section:
 12 NEW SECTION. MAXIMUM AMOUNT OF CONTRIBUTIONS TO
 13 CERTAIN POLITICAL CANDIDATES. A contributor shall
 14 not make contributions to any one candidate in any
 15 one calendar year which, in the aggregate, exceed
 16 the amounts specified in this section:
 17 1. An individual contributor shall not make

- 18 contributions of more than:
 19 a. Two hundred dollars to a candidate for governor.
 20 b. One hundred dollars to a candidate for a
 21 statewide office other than governor.
 22 c. Fifty dollars to a candidate for the general
 23 assembly.
 24 2. A committee, except a statutory political
 25 committee, shall not make contributions to any
 26 candidate in an amount more than twice the aggregate
 27 amount which an individual could contribute to the
 28 same candidate under this section."

COCHRAN of Webster

H-3297

- 1 Amend amendment H-3268 to House File 498 as
 2 follows:
 3 1. Page 1, line 18, by striking the word
 4 "distances" and inserting in lieu thereof the word
 5 "distance".

SPEAR of Lee

H-3300

- 1 Amend House 646 as follows:
 2 1. Page 1, line 7, by inserting after the word
 3 "court" the words ", upon request of the county
 4 officer,".
 5 2. Page 1, line 10, by inserting after the words
 6 "attorney fees" the words "of an attorney appointed
 7 by the court pursuant to this section".

SPEAR of Lee

H-3301

- 1 Amend amendment H-3284 to Senate File 81, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 9, by inserting after the word
 4 "device," the words "which shall conform with
 5 rules promulgated by the department,".
 6 2. Page 1, by striking line 19 and inserting
 7 in lieu thereof the words "It is lawful for a
 8 person to erect and maintain not more than three
 9 permanent points".
 10 3. Page 1, line 20, by striking the word
 11 "sign" and inserting in lieu thereof the words
 12 "signs for any single point of interest".

TOFTE of Winneshiek
 HALVORSON of Clayton
 AVENSON of Fayette
 SHIMANEK of Jones
 HANSON of Delaware

H-3303

1 Amend amendment H-3273 to House File 391 as
2 follows:

- 3 1. Page 1, by striking lines 11 and 12 and
4 inserting in lieu thereof the words "within ninety
5 days of the date when the land is determined by the
6 condemnor or purchaser or by a court to be unused
7 land and".
8 2. Page 1, lines 22 and 23, by striking the words
9 "has been determined by the condemnor or purchaser
10 to be" and inserting in lieu thereof the word "is".

DAVITT of Warren
COCHRAN of Webster

H-3305

1 Amend House File 498 as follows:

- 2 1. Page 1, lines 6 and 7, by striking the words
3 and figure "subparagraph two (2)" and inserting in
4 lieu thereof the words and figures "subparagraphs
5 two (2) through four (4)".
6 2. Page 2, by inserting after line 14 the following
7 new subparagraphs:
8 "(3) A person may build an anaerobic lagoon closer
9 to a residence not owned by the owner of the feeding
10 operation or to a public use area than is otherwise
11 permitted by subparagraph one (1) of this paragraph,
12 if the affected landowners enter into a written
13 agreement with the anaerobic lagoon owner to waive
14 the separation distances under such terms as the
15 parties may negotiate.
16 (4) The separation distances for anaerobic lagoons
17 imposed by subparagraph one (1) of this paragraph
18 may be reduced by the board of adjustment or the board
19 of supervisors in counties without zoning regulations
20 adopted pursuant to chapter three hundred fifty-eight
21 A (358A) of the Code if the owner of the anaerobic
22 lagoon operates and maintains such lagoon in accordance
23 with best management practices. The department of
24 environmental quality shall promulgate rules for the
25 determination of anaerobic lagoon best management
26 practices."

COCHRAN of Webster

H-3308

- 1 Amend the amendment H-3268 to House File 498 as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "reduced" the words "for a proposed lagoon or expansion
- 5 of an existing lagoon".
- 6 2. Page 1, line 8, by inserting after the word
- 7 "lagoon" the words "or the expansion of a lagoon".
- 8 3. Page 1, line 11, by inserting after the word
- 9 "lagoon" the words "or the expansion of a lagoon".

SPEAR of Lee

H-3309

- 1 Amend House File 573 as follows:
- 2 1. Page 1, by striking line 14 and inserting in
- 3 lieu thereof the following:
- 4 "Sec. 3. Section one hundred twenty-three point
- 5 three (123.3), Code 1979, is amended by adding the
- 6 following new subsection:
- 7 NEW SUBSECTION. "Auction" means the offering for
- 8 sale or selling to the highest bidder or offering
- 9 for sale or selling at a high price and then offering
- 10 the same merchandise at successive lower prices until
- 11 a buyer is secured.
- 12 Sec. 4. Chapter one hundred twenty-three (123),
- 13 Code 1979,".
- 14 2. Page 1, by striking line 16, and inserting
- 15 in lieu thereof the following:
- 16 "NEW SECTION. THE RAFFLING OR AUCTIONING OF
- 17 ALCOHOLIC LIQUOR OR BEER."
- 18 3. Page 1, line 20, by inserting after the word
- 19 "raffle" the words ", auction or both raffle and
- 20 auction,".
- 21 4. Page 1, by striking lines 26 and 27 and in-
- 22 serting in lieu thereof the following:
- 23 "Sec. 5. Section one hundred twenty-three point
- 24 twenty-one (123.21), subsection six (6), Code 1979,
- 25 is amended to read as follows:
- 26 6. Providing for the issuing issuance and
- 27 distributing distribution of price lists showing the
- 28 price to be paid by purchasers for each brand, class,
- 29 or variety of liquor kept for sale to be charged
- 30 purchasers from the department, under this chapter.
- 31 Provide for the filing or posting of prices between
- 32 class "A" beer permit holders and retailers as provided
- 33 in this chapter, and establish or control such prices
- 34 as may be based on minimum standards of fill, quantity,
- 35 or alcoholic content for each individual sale of
- 36 intoxicating liquor or beer as deemed necessary for
- 37 retail or consumer protection.

38 Sec. 6. Section five hundred forty-six A point
 39 eight (546A.8), Code 1979, is amended to read as
 40 follows:
 41 546A.8 EXEMPTIONS. The provisions of this chapter
 42 shall not extend to the sale at public auction of
 43 livestock, farm machinery or farm produce or other
 44 items commonly sold at farm sales, or to auction sales
 45 of new merchandise which was assessed personal property
 46 tax or is replacement stock of merchandise inventory
 47 which was assessed personal property tax in the county
 48 in which the sale is to be had, and to auction sales
 49 under the direction of any court or court officers
 50 of such sales as may be required by law and shall

Page 2

1 not apply to the sale of alcoholic liquor, beer, or
 2 both, as provided for in section four (4) of this
 3 Act.

4 Sec. 7. This Act, being deemed of immediate
 5 importance, shall take effect from and after its
 6 publication in the Telegraph Herald, a newspaper
 7 published in Dubuque, Iowa, and in The Cascade Pioneer-
 8 Advertiser, a newspaper published in Cascade, Iowa."

9 5. Title page, line 1, by inserting after the
 10 word "raffling" the words "and auctioning".

WELSH of Dubuque

H-3310

1 Amend House File 652 as follows:
 2 1. Page 1, line 4, by inserting after the word
 3 "facility" the word ", clinic".
 4 2. Page 1, line 11, by inserting after the word
 5 "facility" the word ", clinic".
 6 3. Amend the title, line 4, by inserting after
 7 the word "facility" the word ", clinic".

MILLER of Buchanan

H-3312

1 Amend House File 452 as follows:
 2 1. Page 1, by striking lines 1 through 10 and
 3 inserting in lieu thereof the following:
 4 "Section 1. Section three hundred twenty-one point
 5 two hundred thirty-six (321.236), subsection one (1),
 6 Code 1979, is amended to read as follows:
 7 1. Regulating the standing or parking of vehicles.

8 Parking meter violations which are denied shall
9 be charged and proceed before a court the same as
10 other traffic violations. Parking violations which
11 are admitted:

12 a. May be charged and collected upon a simple
13 notice of a fine not exceeding five dollars payable
14 to the city clerk, if authorized by ordinance. No
15 costs or other charges shall be assessed. One hundred
16 percent of all fines collected by a city pursuant
17 to this paragraph shall be retained by the city.

18 b. Notwithstanding any such ordinance, may be
19 prosecuted under the provisions of sections 805.7
20 to 805.13 or as any other traffic violation.

21 a. A city may prohibit parking violations by
22 ordinance. The penalty for a violation shall be a
23 fine of a fixed amount which shall be specified in
24 the ordinance and which shall not exceed one hundred
25 dollars. The ordinance shall provide that violations
26 shall be charged on a simple notice of fine, and the
27 ordinance shall specify the number of days within
28 which the fine must be paid. If a violation is
29 admitted, the prescribed fine shall be payable to
30 the city clerk, and no costs or other charges shall
31 be assessed. One hundred percent of all fines
32 collected by the city on admitted violations shall
33 be retained by the city. Failure to respond to a
34 notice of fine is a denial of the violation for
35 purposes of this subsection.

36 b. If a violation of an ordinance referred to
37 in paragraph a of this subsection is denied, the law
38 enforcement officer who issued the notice of fine
39 shall issue a citation which complies with the
40 provisions of sections eight hundred five point one
41 (805.1) through eight hundred five point three (805.3)
42 of the Code and which charges the violation upon which
43 the notice of fine was issued. The citation shall
44 be served upon the violator by a law enforcement
45 officer and the violator shall sign the citation as
46 a written promise to appear in court at the time and
47 place specified in the citation. A copy of the
48 citation shall be given to the person charged, and
49 the person charged shall not be subject to arrest
50 unless the person refuses to sign the promise to

Page 2

1 appear, or unless the person subsequently fails to
2 appear in court at the time and place specified in
3 the citation. When the citation has been served,
4 a complaint shall be filed by the law enforcement
5 officer who issued the notice of fine and in the
6 manner prescribed in section eight hundred five point

7 four (805.4) of the Code. Upon the filing of the
 8 complaint, the action shall be governed by section
 9 eight hundred five point five (805.5) of the Code,
 10 and shall be tried in the manner provided for trial
 11 of simple misdemeanors.
 12 c. Notwithstanding paragraphs a and b of this
 13 subsection, parking violations may be charged upon
 14 a uniform citation and complaint. When charged upon
 15 a uniform citation and complaint a parking violation
 16 is subject to sections eight hundred five point six
 17 (805.6) through eight hundred five point fifteen
 18 (805.15) of the Code."

LARSEN of Wapello

H-3313

1 Amend House File 453 as follows:
 2 1. Page 1, line 7, by inserting after the
 3 word "bank", the words "or savings and loan
 4 association,".
 5 2. Page 1, line 12, by inserting after the
 6 word "bank", the words "or savings and loan
 7 association,".

CHIODO of Polk

H-3315

1 Amend House File 660 as follows:
 2 1. Page 1, line 19, by inserting after the figure
 3 "1978" the words "or on the second Friday in September
 4 of the budget year, whichever is greater".

SCHNEKLOTH of Scott
 LORENZEN of Scott
 VAN MAANEN of Mahaska
 OXLEY of Linn

LAGESCHULTE of Bremer
 BRANSTAD of Winnebago
 SHULL of Warren

H-3316

1 Amend House File 650 as follows:
 2 1. Page 1, line 9 by inserting after the word
 3 "Code" the following: "and a partial exemption from
 4 property taxation of the actual value added to farm
 5 buildings by new construction".
 6 2. Page 1, line 27, by inserting after the word
 7 "estate" the words "or farm buildings".
 8 3. Page 2, line 2, by inserting after the word
 9 "estate", the words, "or farm buildings".

DAVITT of Warren

H-3323

- 1 Amend House File 653 as follows:
- 2 1. Page 3, by inserting after line 26 the follow-
- 3 ing:
- 4 "NEW SECTION.
- 5 1. A pharmacist, before dispensing amygdalin or
- 6 other prescription drugs, shall ask the purchaser
- 7 if the purchaser would like to request one of the
- 8 following types of prescriptibn drug containers:
- 9 a. A child-resistant container with a safety-
- 10 closure screw-type or snap-type top.
- 11 b. A nonchild-resistant container with an ordinary
- 12 screw-type or snap-type top.
- 13 2. The pharmacist shall have available at all
- 14 times nonchild-resistant containers which are
- 15 comparable in size, design, and color to child-
- 16 resistant containers. The pharmacist shall comply
- 17 with the purchaser's request for either a child-
- 18 resistant container or a nonchild-resistant container."

LIND of Black Hawk

H-3327

- 1 Amend House File 173 as follows:
- 2 1. Page 1, by striking lines 8 through 11 and
- 3 inserting in lieu thereof the words "of that city's
- 4 or county's the general election as defined in section
- 5 thirty-nine point three (39.3), subsection three (3)
- 6 of the Code."

LORENZEN of Scott
SCHNEKLOTH of Scott

H-3332

- 1 Amend H-3326, filed by Stromer of Hancock, to
- 2 House File 660, as follows:
- 3 1. Page 2, line 35, by striking the word "basic"
- 4 and inserting in lieu thereof the word "budget".

SCHNEKLOTH of Scott
LORENZEN of Scott
LAGESCHULTE of Bremer
BRANSTAD of Winnebago
VAN MAANEN of Mahaska
SHULL of Warren
OXLEY of Linn
HALL of Linn

H-3333

- 1 Amend House File 173 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "Code" the words "if only the city has approved an
- 4 ordinance to impose or revise the tax".
- 5 2. Page 1, line 11, by inserting after the word
- 6 "Code" the words "if a city in the county has approved
- 7 an ordinance to impose or revise the tax and the
- 8 county board of supervisors has adopted a resolution
- 9 to impose or revise the tax or if only the county
- 10 board of supervisors has adopted a resolution to
- 11 impose or revise the tax".

BRANDT of Black Hawk

H-3339

- 1 Amend House File 665 as follows:
- 2 1. Page 1, line 21, by striking the words
- 3 "AND PROMOTIONS" and inserting in lieu thereof the
- 4 words "AND PROMOTIONS".

SPEAR of Lee

H-3342

- 1 Amend H-3336, filed by Patchett et al., to House
- 2 File 660 as follows:
- 3 1. Page 2, line 5, by striking the figure "7"
- 4 and inserting in lieu thereof the figure "5".
- 5 2. Page 2, line 30, by inserting after the word
- 6 "board" the word ", and".
- 7 3. Page 4, by striking line 7 and inserting in
- 8 lieu thereof the following:
- 9 " . By striking page 3, line 34 through page
- 10 4, line 22 and".

PATCHETT of Johnson

H-3344

- 1 Amend H-3336, filed by Patchett et al., to House
- 2 File 660 as follows:
- 3 1. Page 1, line 3, by striking the figure "14"
- 4 and inserting in lieu thereof the figure "7".
- 5 2. Page 1, by inserting after line 3 the following:
- 6 " . Page 2, line 14, by inserting after the
- 7 figure "281.9" the words "and the weighting plan which
- 8 provides additional funds for school districts which

9 send their resident pupils to another school district
10 for classes, which jointly employ and share the
11 services of teachers under section two hundred eighty
12 point fifteen (280.15) of the Code, or which use the
13 services of a teacher employed by another school
14 district.”

15 3. Page 4, by inserting after line 8 the following:
16 “Sec. Chapter four hundred forty-two (442),
17 Code 1979, is amended by adding the following new
18 section:

19 **NEW SECTION. WEIGHTING PLAN.** In order to provide
20 additional funds for school districts which send their
21 resident pupils to another school district for classes,
22 which jointly employ and share the services of teachers
23 under section two hundred eighty point fifteen (280.15)
24 of the Code, or which use the services of a teacher
25 employed by another school district, a special
26 weighting plan for determining enrollment is adopted
27 as follows:

28 1. Pupils in a regular curriculum attending all
29 their classes in the district in which they reside
30 and taught by teachers employed by that district,
31 are assigned a weighting of one.

32 2. Pupils attending classes in another school
33 district, attending classes taught by a teacher who
34 is employed jointly under section two hundred eighty
35 point fifteen (280.15) of the Code, or attending
36 classes taught by a teacher who is employed by another
37 school district, are assigned a weighting of one plus
38 one-tenth times the percent of the pupil's school
39 day during which the pupil attends classes in another
40 district, attends classes taught by a teacher who
41 is jointly employed under section two hundred eighty
42 point fifteen (280.15) of the Code, or attends classes
43 taught by a teacher who is employed by another school
44 district.

45 3. A pupil eligible for the weighting plan provided
46 in section two hundred eighty-one point nine (281.9)
47 of the Code is not eligible for the weighting plan
48 provided in this section.”

PATCHETT of Johnson

H-3353

1 Amend House File 530 as follows:

- 2 1. Page 1, line 15, by striking the word “for”
- 3 and inserting in lieu thereof the word “form”.

SMALLEY of Polk

H-3372

- 1 Amend House File 466 on page 1, by striking lines
- 2 1 through 20.

BRUNER of Story

H-3373

- 1 Amend House File 582 on page 1, by striking lines
- 2 1 through 20.

BRUNER of Story

H-3383

- 1 Amend House File 512 as follows:
- 2 1. Page 4, by inserting after line 13 the follow-
- 3 ing:
- 4 "Sec. . NEW SECTION. PRESCRIPTION CONTAINER.
- 5 1. A pharmacist, before dispensing marijuana,
- 6 tetrahydrocannabinols, chemical derivatives of
- 7 tetrahydrocannabinol, or other prescription drugs,
- 8 shall ask the purchaser if the purchaser would like
- 9 to request one of the following types of prescription
- 10 drug containers:
- 11 a. A child-resistant container with a safety-
- 12 closure screw-type or snap-type top.
- 13 b. A nonchild-resistant container with an ordinary
- 14 screw-type or snap-type top.
- 15 2. The pharmacist shall have available at all
- 16 times nonchild-resistant containers which are
- 17 comparable in size, design, and color to child-
- 18 resistant containers. The pharmacist shall comply
- 19 with the purchaser's request for either a child-
- 20 resistant container or a nonchild-resistant container."
- 21 2. By renumbering sections to conform to this
- 22 amendment.

LIND of Black Hawk

H-3387

- 1 Amend House File 674 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "persons." the words "The certificate of marriage may
- 4 contain information concerning a previous marriage only
- 5 if the person affected desires to provide the informa-
- 6 tion."

SPEAR of Lee

H-3389

- 1 Amend Senate File 158 as follows:
- 2 1. Page 17, by striking lines 2 through 6 and
- 3 inserting in lieu thereof the following: "occupied or
- 4 to be occupied by the borrower."

BRUNER of Story

H-3390

- 1 Amend Senate File 277 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 32 through 35 and
- 4 inserting in lieu thereof the following: "of this
- 5 paragraph may be reduced for a proposed lagoon or
- 6 expansion of an existing lagoon by the county board
- 7 of adjustment in counties where a county zoning
- 8 ordinance is in effect pursuant to the provisions
- 9 of chapter three hundred fifty-eight A (358A) of the
- 10 Code, by the board of supervisors if the lagoon or
- 11 the expansion of a lagoon is to be located outside
- 12 a city's zoning jurisdiction and a county zoning
- 13 ordinance has not been adopted, and by the city board
- 14 of adjustment if the lagoon or the expansion of a
- 15 lagoon is to be located within a city's zoning
- 16 jurisdiction and a city zoning ordinance is in effect
- 17 pursuant to the provisions of chapter four hundred
- 18 fourteen (414) of the Code".
- 19 2. Page 2, by striking lines 1 and 2 and inserting
- 20 in lieu thereof the words "if the reduction is found
- 21 not".
- 22 3. Page 2, by striking line 6 and inserting in
- 23 lieu thereof the words "distance, the county board
- 24 of adjustment, the board of supervisors, or the city
- 25 board of adjustment, as appropriate,".

SPEAR of Lee

H-3394

- 1 Amend House File 662 as follows:
- 2 1. Page 2, by striking lines 2 through 6 and
- 3 inserting in lieu thereof the following:
- 4 "A city or county shall impose a hotel and motel
- 5 tax, only after an election at which a majority of
- 6 those voting on the question favors imposition. The
- 7 election shall be held at the time of that city's
- 8 city election as defined in section thirty-nine point
- 9 three (39.3), subsection five (5) of the Code, except
- 10 that the question shall not be submitted at a city

11 primary or runoff election, if only the city has
 12 approved an ordinance to impose or revise the tax
 13 or that county's general election as defined in section
 14 thirty-nine point three (39.3), subsection three (3)
 15 of the Code if a city in the county has approved an
 16 ordinance to impose or revise the tax and the county
 17 board of supervisors has adopted a resolution to
 18 impose or revise the tax or if only the county board
 19 of supervisors has adopted a resolution to impose
 20 or revise the tax."

21 2. Amend the title, line 3, by inserting after
 22 the word "tax" the words "and clarifying when the
 23 election for the imposition of a hotel and motel tax
 24 is to be held".

KREWSON of Polk
 CRAWFORD of Story
 BRANDT of Black Hawk
 BINA of Scott

H-3396

1 Amend amendment H-3358, to Senate File 158, as
 2 passed by the Senate and reprinted, as follows:
 3 1. Page 4, line 33, by striking the word "two"
 4 and inserting in lieu thereof the word "two".
 5 2. Page 4, line 34, by striking the word "one".
 6 3. Page 4, line 35, by inserting after the
 7 word "purposes," the words "unless signing a waiver
 8 of protection by the usury law".

EGENES of Story

H-3408

1 Amend Senate File 277, as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, line 9, by striking the word "question,"
 4 and inserting in lieu thereof the word "question."
 5 2. Page 2, by striking lines 10 through 14 and
 6 inserting in lieu thereof the following: "If a public
 7 use area other than a public road is located within
 8 the area covered by such separation distance, then
 9 notice of the petition for reduction of the separation
 10 distance shall also be published in a county newspaper
 11 of general circulation. The notice shall state that
 12 the landowner, or three eligible electors residing
 13 in the county or an adjacent county when a public
 14 use area other than a road would be affected by the
 15 proposed reduction, have a right to request a hearing

16 to contest the petition for reduction of the separation
 17 distances within thirty days of mailing or publication
 18 of the notice. Upon the request of such a landowner
 19 or electors, a public hearing shall be held no sooner
 20 than forty-five days after the mailing or publication
 21 of the notice of the right to request a hearing.
 22 Notice of the purpose, time and location of the hearing
 23 shall be sent by ordinary mail to the parties
 24 requesting the hearing at least ten days before the
 25 hearing. If a public use area other than a road would
 26 be affected by the proposed reduction, the notice
 27 of the hearing shall be published at least ten days
 28 before the hearing in a county newspaper of general
 29 circulation. The cost of publishing notice of the
 30 application and hearing in a county newspaper shall
 31 be paid by the anaerobic lagoon owner."

SPEAR of Lee

H-3413

1 Amend House File 664 as follows:
 2 1. Page 13, line 27, by inserting after the word
 3 "excavation" the words "or a material alteration
 4 thereof".
 5 2. Page 17, by striking lines 9 and 10 and
 6 inserting in lieu thereof the words "not construct
 7 or install any, operate or maintain flood control
 8 works of any nature for flood control or materially
 9 alter such works unless and until the proposed".
 10 3. Page 20, line 11, by inserting after the word
 11 "judgment." the words "The burden of proof is on the
 12 council in an action to impose the penalties of this
 13 section."

PELLETT of Cass

H-3414

1 Amend House File 664 as follows:
 2 1. Page 19, by striking lines 1 through 10 and
 3 inserting in lieu thereof the words "shall be guilty
 4 of a simple misdemeanor and each day that such
 5 violation continues after conviction shall be
 6 considered a separate offense."
 7 2. Page 19, lines 20 and 21, by striking the words
 8 "notice of the offense is received" and inserting
 9 in lieu thereof the words "final adjudication of the
 10 case".
 11 3. Page 19, by striking lines 34 and 35 and

- 12 inserting in lieu thereof the words "violation
 13 continues after final adjudication of the case."
 14 4. Page 20, line 1, by striking the words
 15 "corrective measures."

PELLETT of Cass

H-3415

- 1 Amend, House File 664 as follows:
 2 1. Page 13, lines 27 and 28, by striking the words
 3 ", other than a dam, constructed and operated under
 4 the authority of chapter 469 as amended," and inserting
 5 in lieu thereof the words "; other than a dam,
 6 constructed and operated under the authority of chapter
 7 469 as amended."
 8 2. Page 13, line 32, by inserting after the word
 9 "facts." the following: "However, an application
 10 for approval shall not be required under this section
 11 for a dam constructed and operated under the authority
 12 of chapter four hundred sixty-nine (469) of the Code
 13 as amended and for additions to a commercial structure
 14 in existence prior to July 1, 1965 where the structure
 15 is located at least twenty rods from a stream and
 16 the structure's floor area is increased by less than
 17 sixty percent."

PELLETT of Cass

H-3417

- 1 Amend House File 664 as follows:
 2 1. Page 18, by striking lines 31 through 35 and
 3 inserting in lieu thereof the following:
 4 "455A.39 CIVIL PENALTIES."
 5 2. Page 19, by striking lines 1 through 11.
 6 3. Page 19, line 12, by striking the first letter
 7 "a" and inserting in lieu thereof the figure "1".
 8 4. Page 19, by striking lines 22 and 23 and
 9 inserting in lieu thereof the following:
 10 "2. A person required under this chapter of the
 11 Code to obtain".
 12 5. Page 19, line 24, by inserting after the word
 13 "initiating" the words "construction of a dam or".
 14 6. Page 20, by striking line 5.
 15 7. Page 20, line 6, by striking the letter "a"
 16 and inserting in lieu thereof the figure "3".
 17 8. Page 20, line 7, by striking the words "criminal
 18 or".
 19 9. Page 20, by striking lines 12 through 14.

SPEAR of Lee

H-3418

1 Amend Senate File 158 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 16, line 32, by inserting after the word
4 "section," the words "except as otherwise provided
5 in subsection two (2), paragraph a, unnumbered
6 subparagraph two (2) of this section,".

7 2. Page 17, by inserting after line 26 the
8 following:

9 "With respect to a loan of money which is wholly
10 or in part to be used for the purpose of purchasing
11 agricultural land, of more than ten acres, a lender
12 may collect a closing fee which does not exceed an
13 amount which is a reasonable estimate of the expenses
14 incurred by the lender in closing the loan. As used
15 in this subparagraph, the term "loan" includes the
16 refinancing of a contract of sale, and the refinancing
17 of a prior loan, whether or not the borrower also was
18 the borrower under the prior loan, and the assumption
19 of a prior loan. The collection by a lender with
20 respect to a loan referred to in this subparagraph of
21 a loan origination fee, closing fee, commitment fee,
22 processing fee, or similar charge, other than the
23 closing fee permitted by this subparagraph is pro-
24 hibited."

ANDERSON of Audubon

H-3421

1 Amend House File 664 as follows:

2 1. Page 2, by striking lines 20 through 25 and
3 inserting in lieu thereof the following: "corporations
4 on May 16, 1957, except that industrial users of
5 water, having their own water supply, within the
6 territorial boundaries of municipal corporations,
7 shall be regulated when such water use exceeds three
8 percent more than the highest per day beneficial use
9 prior to May 16, 1957,".

10 2. Page 11, by inserting after line 15 the
11 following:

12 "3. Notwithstanding section four hundred fifty-
13 five A point thirty-two (455A.32) of the Code and
14 subsection one (1) of this section, an industrial
15 user having its own water supply within the territorial
16 boundaries of a municipal corporation on May 16, 1957
17 which has not increased its water use in excess of
18 three percent more than the highest per day beneficial
19 use prior to May 16, 1957 shall not be required to
20 apply for a permit for that existing use until three
21 years after the effective date of this Act. This
22 subsection is repealed five years from the effective

23 date of this Act."

24 3. Page 11, line 17, by inserting after the word
25 and figure "two (2)" the words and figure "or
26 subsection three (3)".

27 4. By renumbering the sections and subsections
28 to conform with this amendment.

PERKINS of Greene

H-3426

1 Amend the amendment, H-3394, to House File 662.

2 as follows:

3 1. Page 1, by striking lines 7 through 20 and
4 inserting in lieu thereof the words "election shall
5 be held at the time of ~~that city's or county's~~ the
6 general election as defined in section thirty-nine
7 point three (39.3), subsection three (3) of the Code."

LORENZEN of Scott
SCHNEKLOTH of Scott
WALTER of Pottawattamie
DIELEMAN of Marion

H-3427

1 Amend the Pellett amendment, H-3415, to House File

2 664 as follows:

3 1. Page 1, by striking lines 13 through 17 and
4 inserting in lieu thereof the following: "as amended
5 and for an addition to a commercial structure in
6 existence prior to July 1, 1965 if the structure's
7 floor area is increased by less than sixty percent
8 and the addition is not a further obstruction to flood
9 flows."

SMALLEY of Polk

H-3428

1 Amend amendment H-3305 to House File 498 as

2 follows:

3 1. Page 1, line 15, by inserting after the word
4 "negotiate." the words "The written agreement shall
5 become effective only upon recording in the office
6 of the recorder of deeds of the county in which the
7 residence is located."

COCHRAN of Webster

H-3429

- 1 Amend the Spear amendment, H-3417, to House File
 2 664 as follows:
 3 1. Page 1, by striking lines 6 through 13 and
 4 inserting in lieu thereof the following:
 5 " Page 19, by striking line 12 and inserting
 6 in lieu thereof the following:
 7 "1. A person required by law to have a permit
 8 who withdraws or diverts".
 9 . Page 19, by striking lines 22 through 24
 10 and inserting in lieu thereof the following:
 11 "2. A person who causes or erects a public nuisance
 12 as provided in this chapter and a person required
 13 under this chapter to obtain prior council or director
 14 approval before initiating construction of flood
 15 control works or other"."

SPEAR of Lee

H-3431

- 1 Amend House File 664 as follows:
 2 1. Page 6, by striking lines 31 through 35 and
 3 inserting in lieu thereof the words "Before
 4 implementation of the statewide plan, the council
 5 shall submit the plan to the general assembly which
 6 shall approve or disapprove the plan pursuant to a
 7 concurrent resolution. Approval of the plan shall
 8 require the affirmative vote of a majority of the
 9 members of each house of the general".
 10 2. Page 7, line 1, by striking the word "~~assembly.~~"
 11 and inserting in lieu thereof the word "assembly."

EVANS of Grundy

H-3435

- 1 Amend House File 612 as follows:
 2 1. Page 1, by striking line 34 and inserting in
 3 lieu thereof the words "space close to the most
 4 accessible entrance of the building."
 5 2. Page 2, line 9, by inserting after the word
 6 "property" the words "or an authorized agent of the
 7 owner of the property".
 8 3. Page 2, by striking line 25 and inserting in
 9 lieu thereof the words "to locate the space close
 10 to the most accessible entrance".
 11 4. Page 2, line 27, by inserting after the word
 12 "property" the words "or an authorized agent of the
 13 owner of the property".

14 5. Page 3, line 20, by striking the words "the
15 same" and inserting in lieu thereof the words "the
16 same a".

17 6. Page 3, line 22, by inserting after the period
18 the words "A motor vehicle that is in violation of
19 this subsection may be towed to an appropriate
20 impounding lot when ordered by the chief of police,
21 marshal, or other individual authorized by the city
22 or political subdivision. However, the person
23 authorizing the towing must determine on an individual
24 basis that the vehicle is in violation of this
25 subsection before ordering the vehicle to be towed.
26 Upon towing, the owner or operator of the motor vehicle
27 shall be liable for the cost of towing and storage."

28 7. Page 4, by striking lines 13 and 14.

CONNORS of Polk

H-3436

1 Amend Senate Amendment H-3397 to House File
2 10 as follows:

3 1. Page 1, by striking lines 1 through 8.

CONLON of Muscatine
CRABB of Crawford
POPE of Polk

H-3437

1 Amend H-3415 to page 13 of House File 664 as
2 follows:

3 1. By striking lines 13 through 17 and insert-
4 ing in lieu thereof the following: "as amended or for
5 any structure, dam, obstruction, deposit or excava-
6 tion, or an alteration thereof which will adversely
7 affect the efficiency of or unduly restrict the
8 capacity of the floodway, adversely affect the con-
9 trol, development, protection, allocation, or utili-
10 zation of the water resources of the state."

BENNETT of Ida

H-3438

1 Amend House File 680 as follows:

2 1. Page 3, by striking lines 17 and 18 and
3 inserting in lieu thereof the words "are legal adults
4 and does not apply to the following:".

- 5 2. Page 3, line 24, by inserting after the word
- 6 "programs" the words "if the person is over age forty-
- 7 five".
- 8 3. Page 3, line 27, by striking the word
- 9 "paragraphs" and inserting in lieu thereof the word
- 10 "paragraph".

PATCHETT of Johnson
RAPP of Black Hawk

H-3442

- 1 Amend House File 659 as follows:
- 2 1. Page 1, line 35, by inserting after the word
- 3 "board." the following: "Notwithstanding section
- 4 seventy-nine point nine (79.9) of the Code, employees
- 5 of an area education agency entitled to reimbursement
- 6 for use of a personal automobile for official business
- 7 shall receive twenty cents per mile for actual and
- 8 necessary travel."

GROTH of Buena Vista

H-3451

- 1 Amend H-3415 to page 13 of House File 664 as
- 2 follows:
- 3 1. By striking lines 13 through 17 and insert-
- 4 ing in lieu thereof the following: "as amended or for
- 5 any structure, dam, obstruction, deposit, or excava-
- 6 tion, or an alteration thereof which will not adversely
- 7 affect the efficiency of or unduly restrict the
- 8 capacity of the floodway, adversely affect the con-
- 9 trol, development, protection, allocation, or utili-
- 10 zation of the water resources of the state."

BENNETT of Ida

H-3454

- 1 Amend House File 664 as follows:
- 2 1. Page 2, line 21, by striking the word "their"
- 3 and by inserting in lieu thereof the words "their
- 4 its".

CONLON of Muscatine
SPEAR of Lee

H-3460

- 1 Amend amendment H-3273, to House File 391, as
 2 follows:
 3 1. Page 1, by inserting after line 36 the
 4 following:
 5 "This section shall not apply to the acquisition
 6 and use of abandoned railroad rights-of-way as
 7 recreational bicycle paths."

PELTON of Clinton

H-3461

- 1 Amend amendment H-3422 to House File 680 as
 2 follows:
 3 1. Page 1, by inserting after line 1 the follow-
 4 ing:
 5 "1. Page 4, by striking lines 8 through 12."

BYERLY of Polk

H-3465

- 1 Amend House File 661 as follows:
 2 1. Page 1, by inserting after line 16 the
 3 following:
 4 "Sec. . Section six hundred thirty-three point
 5 five hundred sixty-six (633.566), Code 1979, is amended
 6 by adding the following new subsections:
 7 NEW SUBSECTION. The nature of the proposed ward's
 8 alleged incompetency.
 9 NEW SUBSECTION. The names and addresses, so far
 10 as is known or can be reasonably ascertained, of the
 11 persons most closely related to the proposed ward.
 12 NEW SUBSECTION. The requested term of the limited
 13 guardianship to be included in the court's order of
 14 appointment.
 15 Sec. . Section six hundred thirty-three point
 16 five hundred sixty-six (633.566), subsections two
 17 (2) and four (4), Code 1979, are amended to read as
 18 follows:
 19 2. That the proposed ward is a minor or is
 20 incapable of managing his property The nature and
 21 degree of the alleged disability, the specific areas
 22 of protection and assistance requested, and the
 23 limitation of rights requested to be included in the
 24 court's order of appointment.
 25 4. The estimated present value and description
 26 of the real estate, the estimated value and description

27 of the personal property, and the estimated gross
 28 annual income of the estate including any compensation,
 29 pension, insurance, or allowance to which the proposed
 30 ward may be entitled. If any money is payable, or
 31 to become payable, to the proposed ward by the United
 32 States through the veterans administration, the
 33 petition shall so state.

34 Sec. . Section six hundred thirty-three point
 35 five hundred sixty-eight (633.568), Code 1979, is
 36 amended to read as follows:

37 **633.568 NOTICE GOVERNED BY RULES OF CIVIL**
 38 **PROCEDURE.** In all other cases, notice the proposed
 39 ward and his or her parents, if the parents can be
 40 found within this state, or the conservator or any
 41 person having control of the care and welfare of the
 42 proposed ward, shall be personally served the petition
 43 for the appointment of a conservator. Notwithstanding
 44 the foregoing, all persons then living who stand in
 45 the first degree of consanguinity or affinity to an
 46 alleged mentally retarded person shall be given notice
 47 if their whereabouts are known or can be reasonably
 48 ascertained. Notice of the filing of such petition
 49 shall be served upon the proposed ward in the manner
 50 of an original notice and the Rules of Civil Procedure

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1 governing original notice shall also govern such
 2 notice as to content.

3 Sec. . Section six hundred thirty-three point
 4 five hundred sixty-nine (633.569), Code 1979, is
 5 amended by adding the following new unnumbered
 6 paragraph:

7 **NEW UNNUMBERED PARAGRAPH.** The proposed ward shall
 8 be present at the hearing, unless the court determines
 9 that such personal appearance would not be in the
 10 person's best interest. The proposed ward is entitled
 11 to be represented by counsel. If the proposed ward
 12 is unable to pay for counsel, the county is responsible
 13 for costs of counsel. The proposed ward is entitled
 14 to a jury trial on request. The hearing may be closed
 15 if the proposed ward or his or her counsel requests
 16 a closed hearing. At the hearing, the court shall
 17 do all of the following:

- 18 1. Inquire into the nature and extent of the
- 19 general intellectual functioning of the individual
- 20 asserted to need a conservator.
- 21 2. Evaluate the extent of the impairment in the
- 22 proposed ward's behavior.
- 23 3. Ascertain the proposed ward's capacity to care
- 24 for himself or herself and manage his or her property.
- 25 4. Inquire into the qualifications, abilities,

26 and capabilities of the person seeking to be appointed
27 conservator.

28 Sec. . Section six hundred thirty-three point
29 five hundred seventy (633.570), Code 1979, is amended
30 to read as follows:

31 633.570 APPOINTMENT OF CONSERVATOR. If the
32 allegations of the petition as to the status of the
33 proposed ward and the necessity for the appointment
34 of a conservator are proved, the court may appoint
35 a conservator. An order appointing a conservator
36 shall contain findings of fact and shall also specify:

37 1. The properties of the ward to which the
38 conservator is entitled to possession and management,
39 giving the description of the properties that will
40 be sufficient to identify them.

41 2. The debts, rentals, wages, or other claims
42 due the ward which the conservator is entitled to
43 collect, or file suit with respect to, if necessary,
44 and thereafter to possess and manage.

45 3. The contractual or other obligations which
46 the conservator may incur on behalf of the ward.

47 4. The claims against the ward which the
48 conservator may pay, compromise, or defend, if
49 necessary.

50 5. Any other powers, limitations, or duties with

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1 respect to the care of the ward or the management
2 of the ward's property by the conservator which the
3 court shall specifically and explicitly specify."

4 2. Page 2, by inserting after line 2 the following:

5 "Sec. . Section six hundred thirty-three point
6 six hundred seventy-five (633.675), Code 1979, is
7 amended by adding the following new subsections:

8 NEW SUBSECTION. Upon such notice as the court
9 may direct, on a petition of the ward or any person
10 interested in the ward's welfare, if the court finds
11 that to be in the best interest of the ward.

12 NEW SUBSECTION. Upon petition of the conservator
13 the court may accept his or her resignation."

14 3. By renumbering to conform to this amendment.

RAPP of Black Hawk

H-3469

1 Amend House File 235 as follows:

2 1. Page 1, by striking lines 4 through 6 and
3 inserting in lieu thereof the following: "a force
4 of reserve peace officers, and may limit the size of
5 the reserve force."

DIELEMAN of Marion

H-3478

1 Amend House File 612 as follows:

- 2 1. Page 3, by striking lines 11 through 19, and
3 inserting in lieu thereof the following: "two (2)
4 of this Act. The use of parking spaces which are
5 so designated and are located on public property by
6 a motor vehicle not displaying such a device, or by
7 a motor vehicle displaying such a device but not being
8 used as operator or passenger by the individual to
9 whom the device has been issued or another individual
10 physically handicapped to the extent described by
11 this section; shall be a misdemeanor for which a fine
12 not to exceed one hundred dollars may be imposed.
13 The owner of a motor vehicle which uses a parking
14 space so designated without displaying a special
15 identification device, or the operator of a motor
16 vehicle which is using a parking space so designated
17 displaying a special identification device but whose
18 operator or passenger is not the individual to whom
19 the device is issued or another individual physically
20 handicapped to the extent described in this chapter,
21 is guilty of a simple misdemeanor for which a fine
22 not to exceed one hundred dollars may be imposed.
23 Proof of conviction of three or more such violations".

THOMPSON of Polk

H-3482

1 Amend House File 235 as follows:

- 2 1. Page 4, by striking lines two and three.

LLOYD-JONES of Johnson

H-3483

1 Amend House File 664 as follows:

- 2 1. Page 3, line 9, by striking the word
3 "permitting" and inserting in lieu thereof the words
4 "permitting an act that permits".
5 2. Page 3, line 10, by striking the words "using
6 it" and inserting in lieu thereof the words "using
7 it to be used".
8 3. Page 3, line 11, by striking the word
9 "transporting" and inserting in lieu thereof the words
10 "transporting transports".
11 4. Page 3, line 14, by striking the words
12 "permitting or causing" and inserting in lieu thereof

13 the words "permitting permits or causing causes".

14 5. Page 4, lines 27 and 28, by striking the words
15 "by the considered and proper use thereof," and
16 inserting in lieu thereof the words "by the considered
17 and proper use thereof,".

18 6. Page 4, by striking lines 31 through 33 and
19 inserting in lieu thereof the words "policy of the
20 state to ~~correlate and vest the place decision making~~
21 powers of the state in a single agency, relating to
22 water resources in the Iowa natural resources council,
23 with. The council shall have the duty and authority
24 to establish and enforce an".

25 7. Page 5, by striking lines 15 through 20 and
26 inserting in lieu thereof the words "~~to be public~~
27 waters water and public wealth of the people of the
28 state of Iowa and subject to use in accordance with
29 the provisions of this chapter; and the control and
30 development and use of water for all beneficial
31 purposes shall be in the state, which, in the. The
32 state shall exercise of its police powers, shall take
33 such measures as shall effectuate to promote full
34 utilization and".

LLOYD-JONES of Johnson

H-3486

1 Amend the amendment, H-3465, to House File 661
2 as follows:

3 1. Page 3, by striking lines 6 through 13 and
4 inserting in lieu thereof the following: "six hundred
5 seventy-nine (633.679), Code 1979, is amended to read
6 as follows:

7 633.679 PETITION TO TERMINATE. At any time, not
8 less than six months after the appointment of a
9 guardian or conservator, the person under guardianship
10 or conservatorship, or any person interested in the
11 welfare of the person under guardianship or
12 conservatorship, may apply to the court by petition,
13 alleging that he the person is no longer a proper
14 subject thereof, and asking that the guardianship
15 or conservatorship be terminated. On the petition
16 of the guardian or the conservator, the court may
17 accept his or her resignation."

RAPP of Black Hawk

H-3487

1 Amend House File 485 as follows:

2 1. Page 3, by striking lines 4 through 13 and

3 inserting in lieu thereof the following: "of the
 4 state, the administrative rule shall not be effec-
 5 tive until funds are appropriated by the general
 6 assembly to carry out the requirements of the admin-
 7 istrative rule."

DIELEMAN of Marion

H-3490

1 Amend House File 687 as follows:

2 1. Page 2, by inserting after line 10 the following
 3 new section:

4 "Sec. . Section sixty-eight A point seven
 5 (68A.7), Code 1979, is amended by adding the following
 6 new subsection:

7 **NEW SUBSECTION.** Reports, informations, citations
 8 or warnings issued for traffic violations for exceeding
 9 the legal speed limit by ten miles per hour or less
 10 and court reports of convictions of a traffic violation
 11 for exceeding the legal speed limit by ten miles per
 12 hour or less."

13 2. Page 12, by inserting after line 23 the
 14 following new sections:

15 "Sec. . Section three hundred twenty-one point
 16 two hundred seven (321.207), Code 1979, is amended
 17 to read as follows:

18 **321.207 RECORD FORWARDED.** Every court having
 19 jurisdiction over offenses committed under this
 20 chapter, or any other law of this state or any city
 21 traffic ordinances, other than parking regulations,
 22 regulating the operation of motor vehicles on highways,
 23 shall forward to the department a record of the
 24 conviction of any person in said court for a violation
 25 of any said laws except violations of the legal speed
 26 limit by ten miles per hour or less, and may recommend
 27 the suspension of the operator's or chauffeur's license
 28 of the person so convicted, and the department shall
 29 thereupon consider and act upon such recommendation
 30 in such manner as may seem to it best. *

31 Sec. . Section three hundred twenty-one point
 32 two hundred ten (321.210), Code 1979, is amended by
 33 adding the following new unnumbered paragraph:

34 **NEW UNNUMBERED PARAGRAPH.** In determining the
 35 suspension or the length of suspension of an operator's
 36 or chauffeur's license, the department may not assess
 37 points nor take into consideration a speeding violation
 38 of ten miles per hour or less over the legal speed
 39 limit.

40 Sec. . Section three hundred twenty-one point
 41 five hundred fifty-five (321.555), subsection three

42 (3), Code 1979, is amended to read as follows:
 43 3. The offenses included in subsections 1 and
 44 2 shall be deemed to include offenses under any valid
 45 town, city or county ordinance paralleling and
 46 substantially conforming to the provisions of the
 47 Code concerning such offenses. However, a conviction
 48 of a speeding violation of ten miles per hour or less
 49 over the legal speed limit shall not be included as
 50 an offense under subsection one (1) or two (2) of

Page 2

1 this section.
 2 3. By renumbering sections as made necessary by
 3 this amendment.

HORN of Linn

H—3493

1 Amend House File 679 as follows:
 2 1. Page 1, line 12, by striking the period and
 3 inserting in lieu thereof the following: “, and”.
 4 2. Page 1, line 22, by inserting after the word
 5 “party” the words “and not more than one from a
 6 profession or occupation regulated by the state”.
 7 3. Page 1, line 24, by inserting after the word
 8 “party” the words “and not more than one from a
 9 profession or occupation regulated by the state”.
 10 4. Page 1, by striking line 26 and inserting in
 11 lieu thereof the following: “party and not more than
 12 one from a profession or occupation regulated by the
 13 state, appointed by the governor, subject to con-
 14 firmation by two-thirds of the members of the senate.”
 15 5. Page 2, line 4, by inserting after the word
 16 “committee” the words “of the general assembly”.
 17 6. Page 2, line 12, by striking the words “become
 18 or”
 19 7. Page 2, line 16, by inserting after the word
 20 “state.” the following: “The committee shall
 21 evaluate a particular profession or occupation which
 22 is seeking regulation. The general assembly may, by
 23 concurrent resolution, direct an evaluation of a
 24 particular profession or occupation.”
 25 8. Page 2, line 21, by inserting after the word
 26 “below” the words “and shall report their findings
 27 to the general assembly”.
 28 9. Page 3, by inserting after line 27 the
 29 following:
 30 “i. Whether the profession or occupation is
 31 required to be regulated by the federal government

32 or an agency thereof.”
33 j. Whether the practitioner performs a service
34 for others which would qualify for payment of part
35 or all of those services by a third party if the
36 practitioner were to be regulated as provided in
37 this Act.”

SCHROEDER of Pottawattamie

H—3495

1 Amend House File 485 as follows:
2 1. Page 3, by inserting after line 34 the
3 following:
4 “Sec. . Section seventeen A point four (17A.4),
5 subsection six (6), Code 1979, is amended to read
6 as follows:
7 6. The governor may rescind an adopted rule by
8 executive order within thirty-five days of the
9 publication of the rule or of the effective date of
10 the rule, whichever date is later. The governor shall
11 provide a copy of the executive order to the Code
12 editor who shall include it in the next publication
13 of the Iowa administrative bulletin.”
14 2. By renumbering sections to conform to this
15 amendment.

SCHROEDER of Pottawattamie

H—3496

1 Amend House File 485 as follows:
2 1. Page 1, line 2, by striking the words “bill,
3 joint resolution, or”.
4 2. Page 1, line 8, by striking the words
5 “legislation or”.
6 3. Page 1, by striking lines 9 and 10 and inserting
7 in lieu thereof the word “rule.”
8 4. Page 1, line 13, by striking the word
9 “legislation” and inserting in lieu thereof the words
10 “administrative rule”.
11 5. Page 1, line 16, by striking the word
12 “legislation” and inserting in lieu thereof the word
13 “rule”.
14 6. Page 1, line 17, by striking the word
15 “legislation” and inserting in lieu thereof the word
16 “rule”.
17 7. By striking page 1, line 22 through page 2,
18 line 21.
19 8. Page 2, by striking lines 23 through 30.

- 20 9. Page 2, line 31, by striking the number "2."
 21 10. Page 3, line 6, by striking the letter "a"
 22 and inserting in lieu thereof the number "1".
 23 11. Page 3, line 10, by striking the letter "b"
 24 and inserting in lieu thereof the number "2".
 25 12. By renumbering sections to conform to this
 26 amendment.
 27 13. Amend the title, line 1, by striking the words
 28 "legislation and".

THOMPSON of Polk

H-3508

- 1 Amend H-3495 to House File 485 as follows:
 2 1. Page 1, line 13, by inserting after the
 3 word "bulletin." the following: "If the governor or
 4 the comptroller declare that at the close of a fiscal
 5 year the state has a surplus exceeding three
 6 percent (3%) of the amount appropriated that fiscal
 7 year, the legislature, by March 15 of the following
 8 year, shall develop a plan to return surplus in
 9 excess of three percent (3%) to the taxpayer by
 10 reductions in the tax structure."

BYERLY of Polk
 NORLAND of Worth

H-3509

- 1 Amend House File 668 as follows:
 2 1. Page 1, line 7, by inserting after the
 3 word "fee," the following "or an individuals
 4 cost of processing a small claims recovery such
 5 as lost time or transportation costs."

JOHNSON of Howard

H-3513

- 1 Amend House File 694 as follows:
 2 1. Page 2, by inserting after line 7 the following
 3 new section:
 4 "Sec. There is appropriated from the general
 5 fund of the state to the state department of
 6 transportation for the fiscal period beginning with
 7 the effective date of this Act and ending June 30,
 8 1979, the sum of three million dollars to be allocated

9 to each city in the state in the proportion that the
 10 population of each city is to the total population
 11 of all cities in the state. Funds appropriated by
 12 this section shall be used to pay costs of snow removal
 13 incurred by cities due to excessive snowfall in the
 14 fiscal year beginning July 1, 1978 and ending June
 15 30, 1979."
 16 2. Renumber sections and correct internal
 17 references as are necessary in accordance with this
 18 amendment.

CUSACK of Scott

H-3514

1 Amend House File 235 as follows:
 2 1. Page 2, line 11, by inserting after the word
 3 "officers" the following: "as of July 1, 1979".

BRANDT of Black Hawk

H-3517

1 Amend House File 235 as follows:
 2 1. Page 1, by striking lines 23 and 24 and
 3 inserting in lieu thereof the words "obtained in any
 4 merged area school or any other facility selected
 5 by the individual if the merged area school or other
 6 facility is an approved law enforcement training
 7 school under the provisions of chapter eighty B (80B)
 8 of the Code. Upon satisfactory".

HUSAK of Tama

H-3520

1 Amend Senate File 299 as follows:
 2 1. Page 1, by striking lines 19 through 21
 3 and inserting in lieu thereof the following: "of
 4 goods and products, or of a headquarters facility
 5 of a company, or (b) pollution control facilities
 6 which shall".

COCHRAN of Webster
 NORLAND of Worth

H—3525

- 1 Amend House File 235 as follows:
- 2 1. Page 2, line 29, by striking the words
- 3 "shall wear no insignia of rank" and inserting in lieu
- 4 thereof the words "wearing a special insignia clearly
- 5 identifying them as reserve peace officers".

BRANDT of Black Hawk

H—3526

- 1 Amend House File 235 as follows:
- 2 1. Page 2, line 13, by striking the line and
- 3 inserting in lieu thereof the following: "until
- 4 July 1, 1980, whichever".

WOODS of Polk

H—3534

- 1 Amend House File 697 as follows:
- 2 1. Page 8, line 17, by inserting after the
- 3 word "project" the words "does not duplicate
- 4 existing facilities in either the public or private
- 5 sector which would be available for lease by the
- 6 board of the institution, that the proposed project".

SCHNEKLOTH of Scott

H—3537

- 1 Amend the amendment H—3305 to House File 498 as
- 2 follows:
- 3 1. Page 1, line 8, by inserting after the word
- 4 "build" the words "or expand".
- 5 2. Page 1, line 10, by striking the words "or
- 6 to a public use area".
- 7 3. Page 1, by striking lines 18 through 21 and
- 8 inserting in lieu thereof the words "may be reduced
- 9 by the county board of adjustment, the board of
- 10 supervisors, or the city board of adjustment, as
- 11 appropriate, if the owner of the anaerobic".

SPEAR of Lee

H-3541

- 1 Amend House File 235 as follows:
- 2 1. Page 2, line 15, by striking the word
- 3 "weapon" and inserting in lieu thereof the words
- 4 "weapon, other than a firearm."

HALVORSON of Webster
CUSACK of Scott

H-3542

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "The Iowa state commerce commission shall not
- 5 approve a schedule of telephone directory assistance
- 6 charges to be implemented on or after the date
- 7 specified in this section unless the schedule provides
- 8 for the following applicable free call allowance per
- 9 line, trunk, or five centrex stations or a fraction
- 10 thereof:
- 11 1. Twenty free directory assistance requests per
- 12 month for residential subscribers.
- 13 2. Forty free directory assistance requests per
- 14 month for business subscribers."

WALTER of Pottawattamie
BINA of Scott

H-3543

- 1 Amend the amendment, H-3500, to House File 691
- 2 as follows:
- 3 1. Line 17, by inserting after the period the
- 4 following: "However, this subsection does not apply
- 5 if the public utility has furnished free of charge
- 6 to the subscriber from whose telephone the request
- 7 is being made a telephone directory which contains
- 8 the telephone number requested."

BINA of Scott
WALTER of Pottawattamie

H-3544

- 1 Amend House File 691 as follows:
- 2 1. Page 1, by inserting after line 16 the follow-
- 3 ing:

4 "Any charges approved on or after the date speci-
5 fied in this section shall be subject to the limita-
6 tions contained in section three (3) of this Act."

7 2. Page 2, by inserting after line 5 the
8 following:

9 "Sec. 3. The Iowa state commerce commission
10 shall not approve any schedule of telephone directory
11 assistance charges to be implemented on or after the
12 date permitted by section two (2) of this Act unless
13 the schedule provides that all of the following sub-
14 scribers or stations are exempt from any charge or
15 fee for telephone directory assistance:

16 All agencies of federal, state and local govern-
17 ment.

BYERLY of Polk

H-3546

1 Amend House File 664 as follows:

2 1. Page 10, by inserting after line 25 the
3 following:

4 "A person, as defined in section four point one
5 (4.1), subsection thirteen (13), of the Code, is
6 entitled to the vested right to five thousand (5,000)
7 gallons per household per day. Such a person is
8 also entitled by right to the non-regulated use of
9 fifteen thousand (15,000) gallons per day for con-
10 sumption by poultry, livestock, domestic animals and
11 for seasonal crop spraying."

SCHNEKLOTH of Scott

H-3551

1 Amend House File 697 as follows:

2 1. Page 1, line 9, by striking the words "student
3 residence halls, dormitories,".

4 2. Page 1, line 23, by striking the words
5 "residence halls, dormitories,".

6 3. Page 1, line 28, by striking the words "student
7 residence halls, dormitories, and".

8 4. Page 2, by striking lines 3, 4, and 5 and
9 inserting in lieu thereof the words: "The board shall
10 adopt a schedule of charges".

11 5. Page 2, line 6, by striking the words "residence
12 halls, dormitories,".

13 6. Page 3, lines 23 and 24, by striking the words
14 "residence halls, dormitories,".

15 7. Page 4, line 18, by striking the words
16 "residence halls, dormitories or".

- 17 8. Page 5, line 2, by striking the words "residence
18 halls, dormitories,".
- 19 9. Page 5, lines 23 and 24, by striking the words
20 "residence halls, dormitories, and".
- 21 10. Page 5, line 31, by striking the words
22 "residence halls, dormitories, and".
- 23 11. Page 6, lines 12 and 13, by striking the words
24 "residence halls, dormitories, and".
- 25 12. Page 6, line 33, by striking the words
26 "residence halls, dormitories, and".
- 27 13. Amend the title, line 2, by striking the words
28 "student residence halls, dormitories, and".

BRANDT of Black Hawk
KREWSON of Polk

H-3555

- 1 Amend amendment H-3544, to House File 691, Page 1,
2 as follows:
- 3 1. Page 1, by inserting after line 17 the
4 following:
- 5 "All schools, both public and private, and
6 including trade schools."
- 7 2. By numbering and renumbering as necessary.

BYERLY of Polk
BINA of Scott

H-3556

- 1 Amend amendment H-3544, to House File 691, Page 1,
2 as follows:
- 3 1. Page 1, by inserting after line 17 the
4 following:
- 5 "All subscribers of residential telephone service
6 whose households contain family members who are
7 physically handicapped."
- 8 2. By numbering and renumbering as necessary.

BYERLY of Polk
GETTINGS of Wapello

H-3557

- 1 Amend House File 691 as follows:
- 2 1. Page 1, line 15, by striking the words "make
3 a charge" and inserting in lieu thereof the word
4 "file".

BINA of Scott

H-3565

- 1 Amend House File 707 as follows:
- 2 1. Page 6, line 3, by inserting the following
- 3 new sentence after the word "used." "It is the
- 4 intent of the general assembly that the compactness
- 5 standard as defined in section three (3), subsec-
- 6 tion four (4), paragraph b, is preferable to the
- 7 compactness standard defined in section three (3),
- 8 subsection four (4), paragraph c."

HALVORSON of Webster

H-3572

- 1 Amend House File 701 as follows:
- 2 1. Page 2, by inserting after line 19, the
- 3 following subsection:
- 4 "2. At least three members of the commission
- 5 shall be county supervisors."

DAGGETT of Taylor

H-3582

- 1 Amend amendment H-3544, to House File 691, page 1,
- 2 as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "All churches and religious organizations."
- 6 2. By numbering and renumbering as necessary.

BYERLY of Polk
JOCHUM of Dubuque

H-3583

- 1 Amend amendment H-3544, to House File 691, page 1,
- 2 as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "All coin operated telephones which are avail-
- 6 able for use by members of the general public."
- 7 2. By numbering and renumbering as necessary.

BYERLY of Polk
PATCHETT of Johnson

H-3584

- 1 Amend amendment H-3544, to House File 691, page
- 2 1, as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "All nonprofit organizations which are incorpor-
- 6 ated in this state."
- 7 2. By numbering and renumbering as necessary.

BYERLY of Polk
ARNOULD of Scott

H-3587

- 1 Amend House File 664 as follows:
- 2 1. Page 16, line 2, by striking the word and
- 3 figures "July 4, 1965" and inserting in lieu thereof the
- 4 word and figures "July 4, 1965 January 1, 1979".

EVANS of Grundy

H-3588

- 1 Amend House File 664 as follows:
- 2 1. Page 15, line 6, by inserting after the
- 3 word "same" the following: "provided that this
- 4 section shall not be interpreted to restrict est-
- 5 ablished agricultural uses of a flood plain".

EVANS of Grundy

H-3589

- 1 Amend House File 664 as follows:
- 2 1. Page 13, by striking lines 18 and 19 and
- 3 inserting in lieu thereof the following: "declared
- 4 to be and to constitute public nuisances, provided,
- 5 however However, that the provision shall not apply
- 6 to dams".
- 7 2. Page 13, line 21, by inserting after the
- 8 word "amended" the words "nor shall this provision
- 9 be interpreted to restrict accepted tillage practices
- 10 or the erection or maintenance of fences necessary
- 11 to mark boundaries or control the movement of live-
- 12 stock".

EVANS of Grundy

H-3590

- 1 Amend House File 664 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "flood" the words "and borders a stream which drains
- 4 an area of more than three square miles, provided
- 5 that for land unzoned or zoned for agricultural use
- 6 the area drained shall exceed ten square miles".

EVANS of Grundy

H-3593

- 1 Amend Senate File 388, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 1, line 9, by striking the word
- 4 "subsections" and inserting in lieu thereof the
- 5 word "subsection".
- 6 2. Page 1, by striking lines 13 through 17.

DAGGETT of Taylor
VAN MAANEN of Mahaska

H-3594

- 1 Amend House File 664 as follows:
- 2 1. Page 16, by inserting following line 4 the
- 3 following new paragraph:
- 4 "c. In flood plain areas which are unzoned or
- 5 zoned for agricultural use and which lie outside a
- 6 floodway, the council shall not prohibit or regulate
- 7 owner-occupied residences or structures used in farm-
- 8 ing, provided that building or maintaining such res-
- 9 idences or structures knowingly, voluntarily and with
- 10 appreciation of the risks and dangers involved shall
- 11 constitute a waiver of eligibility for all public
- 12 flood insurance."

EVANS of Grundy

H-3595

- 1 Amend House File 719 as follows:
- 2 1. Page 8, line 19, by inserting after the word
- 3 "both." the words and figure "A fine imposed under
- 4 this subsection is subject to the limits of subsection
- 5 five (5) of this section."
- 6 2. Page 8, line 25, by inserting after the word
- 7 "noncompliance." the words and figure "A fine imposed
- 8 under this subsection is subject to the limits of

9 subsection five (5) of this section."

10 3. Page 8, line 32, by inserting after the word
 11 "violation." the words and figure "A fine imposed
 12 under this subsection is subject to the limits of
 13 subsection five (5) of this section."

14 4. Page 8, by inserting after line 32 the following
 15 subsection:

16 "5. The total amount of fines imposed upon a
 17 person under subsections two (2), three (3) and four
 18 (4) of this section in a calendar year shall not
 19 exceed the greater of the following:

- 20 a. Ten percent of the net worth of the person.
- 21 b. Twenty percent of the adjusted gross income
- 22 of the person for the preceding tax year as calculated
- 23 for federal income tax purposes."

EVANS of Grundy
 VAN MAANEN of Mahaska
 PELLETT of Cass
 WEST of Marshall
 DE GROOT of Lyon

H-3596

1 Amend House File 719 as follows:

2 1. Page 1, by inserting after line 5 the following
 3 subsection:

4 " "Authorized disposal" means disposal of
 5 a hazardous waste in accordance with this Act and
 6 rules adopted under this Act."

7 2. Page 1, line 8, by inserting after the word
 8 "means" the words "either authorized disposal or".

9 3. Page 3, line 1, by inserting after the words
 10 "site for" the word "authorized".

11 4. Page 3, line 3, by inserting after the word
 12 "to" the word "authorized".

13 5. Page 3, line 6, by inserting after the word
 14 "efficient" the word "authorized".

15 6. Page 3, line 10, by striking the word
 16 "disposal".

17 7. Page 5, line 32, by inserting after the word
 18 "or" the word "authorized".

19 8. Page 6, line 1, by inserting after the word
 20 "or" the word "authorized".

EVANS of Grundy

H-3597

1 Amend House File 722 as follows:

2 1. Page 1, by inserting before line 1 the following
3 new section:

4 "Section . Section three hundred seven point
5 ten (307.10), subsection five (5), Code 1979, is
6 amended to read as follows:

7 5. Adopt rules in accordance with the provisions
8 of chapter 17A as it may deem necessary to transact
9 its business and for the administration and exercise
10 of its powers and duties. The transportation
11 commission shall also adopt rules, which rules shall
12 be exempt from the provisions of chapter 17A, governing
13 the length of vehicles and combinations of vehicles
14 which are subject to the limitations imposed under
15 section 321.457. The commission may adopt such rules
16 which permit vehicles and combinations of vehicles
17 in excess of the length limitations imposed under
18 section 321.457, but not exceeding sixty-five feet
19 in length, which may be moved on the highways of this
20 state. Any such proposed rules shall be submitted
21 to the general assembly within five days following
22 the convening of a regular session of the general
23 assembly. The general assembly may approve or
24 disapprove the rules submitted by the commission not
25 later than sixty days from the date such rules are
26 submitted and, if approved or no action is taken by
27 the general assembly on the proposed rules, such rules
28 shall become effective May 1 and thereafter all laws
29 in conflict therewith shall be of no further force
30 and effect."

31 2. Page 3, by inserting after line 27 the following
32 new section:

33 "Sec. . Section three hundred twenty-one point
34 four hundred fifty-seven (321.457), subsection six
35 (6), Code 1979, is amended to read as follows:

36 6. No combination of three vehicles coupled
37 together one of which is a motor vehicle, unladen
38 or with load, shall have an overall length, inclusive
39 of front and rear bumpers in excess of sixty-sixty-
40 five feet."

41 3. Renumber sections and correct internal
42 references as are necessary in accordance with this
43 amendment.

LONERGAN of Boone
WOODS of Polk

H-3598

1 Amend House File 681 as follows:

2 1. Page 1, by inserting before line 1 the follow-
3 ing:

4 "Section 1. Section three hundred three point
5 eight (303.8), subsection seven (7), Code 1979, is
6 amended to read as follows:

7 7. Co-operate with federal, state and local
8 government agencies in historic preservation matters
9 and to make recommendations to the governing body
10 of a city in regard to preserving historically
11 significant areas of the city or in establishing
12 historical preservation districts as required in
13 sections four hundred fourteen point one (414.1) and
14 four hundred fourteen point two (414.2) of the Code."

15 2. Page 1, line 27, by inserting after the word
16 "purposes." the following: "However, prior to
17 exercising these powers for the purpose of preserving
18 historically significant areas of the community, the
19 city shall consult the director of the division of
20 historic preservation of the state historical
21 department and obtain the director's recommendations
22 pursuant to section three hundred three point eight
23 (303.8), subsection seven (7) of the Code. The city
24 shall make the director's recommendations available
25 to the public for viewing during normal working hours
26 at a city government place of public access."

27 3. Page 2, line 5, by inserting after the word
28 "districts." the following: "However, the council
29 shall not divide the city into historical preservation
30 districts pursuant to this section unless:

31 a. The city has consulted the director of the
32 division of historic preservation and obtained the
33 director's recommendations pursuant to section three
34 hundred three point eight (303.8), subsection seven
35 (7) of the Code and those recommendations have been
36 made available to the public for viewing during normal
37 working hours at a city government place of public
38 access; and

39 b. The proposed historical preservation district
40 meets the guidelines established as of January 1,
41 1979 by the United States secretary of the interior
42 in order to qualify for federal benefits accorded
43 to property located within a national historic area."

44 4. Renumber as required by this amendment.

CONNOLLY of Dubuque
PAVICH of Pottawattamie
GROTH of Buena Vista

H-3605

- 1 Amend the Cusack amendment, H-3513, to House File
- 2 694 as follows:
- 3 1. Page 1, line 13, by inserting after the word
- 4 "snowfall" the words "and repair of streets damaged
- 5 by the severe winter weather conditions".

SPEAR of Lee

H-3607

- 1 Amend House File 722 as follows:
- 2 1. Page 1, by striking lines 1 through 11.
- 3 2. Renumber sections and correct internal
- 4 references as are necessary in accordance with this
- 5 amendment.

BINNEBOESE of Plymouth
 MILLER of Buchanan
 GETTINGS of Wapello
 HUSAK of Tama

H-3608

- 1 Amend House File 719 as follows:
- 2 1. Page 10, line 22, by striking the word
- 3 "was" and inserting in lieu thereof the word "is".

ARNOULD of Scott

H-3609

- 1 Amend House File 681 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. Section three hundred three point
- 5 twenty-one (303.21), Code 1979, is amended to read
- 6 as follows:
- 7 303.21 PETITION. Not less than ten percent of
- 8 the eligible voters in an area of asserted historical
- 9 significance may petition the division and the zoning
- 10 commission of a city that has a zoning commission
- 11 appointed pursuant to section four hundred fourteen
- 12 point six (414.6) of the Code for a referendum for
- 13 the establishment of a district.
- 14 The petition shall contain a description of the

15 property suggested for inclusion in the district,
 16 and the reasons justifying the creation of the
 17 district.

18 Sec. 2. Section three hundred three point twenty-
 19 two (303.22), Code 1979, is amended to read as follows:

20 303.22 ACTION BY DIVISION AND BY ZONING COMMISSION.

21 The division and the zoning commission in the case
 22 of a city which has a zoning commission appointed
 23 pursuant to section four hundred fourteen point six
 24 (414.6) of the Code shall hold a joint hearing not
 25 less than thirty days or more than sixty days after
 26 the petition is received. The division shall publish
 27 notice of the hearing, at a reasonable time before
 28 the hearing is to take place, and shall post notice
 29 of the hearing in a reasonable number of places within
 30 the suggested district. The cost of notification
 31 shall be paid by the persons who petition for the
 32 establishment of a district.

33 At the hearing the division and the zoning
 34 commission shall hear interested persons, accept
 35 written presentations, and the division shall determine
 36 whether the suggested district is an area of historical
 37 significance which may properly be established as
 38 a historical preservation district pursuant to the
 39 provisions of this division of this chapter. The
 40 division may determine the boundaries which shall
 41 be established for the district. The division shall
 42 not include property which is not included in the
 43 suggested district unless the owner of such property
 44 is given an opportunity to be heard.

45 The division, if it determines that the suggested
 46 district meets the criteria for establishment as a
 47 historical preservation district, shall indicate the
 48 owners of the property and residents included and
 49 shall forward a list of such owners and residents
 50 to the county commissioner of elections zoning

Page 2

1 commission, in the case of a city which has a zoning
 2 commission appointed pursuant to section four hundred
 3 fourteen point six (414.6) of the Code.

4 If the division determines that the suggested
 5 district does not meet the criteria for establishment
 6 as a historical preservation district, it shall so
 7 notify the petitioners.

8 Sec. 3. Chapter three hundred three point twenty-
 9 two (303.22), Code 1979, is amended by adding the
 10 following new unnumbered paragraphs:

11 NEW UNNUMBERED PARAGRAPH. If the division has
 12 determined that the suggested district meets the
 13 criteria for establishment as a historical preservation

14 district, and if the city in which the suggested
 15 district is located has a zoning commission appointed
 16 pursuant to section four hundred fourteen point six
 17 (414.6) of the Code, then representatives of the
 18 division and the zoning commission shall meet within
 19 fourteen days following the public hearing held
 20 pursuant to section three hundred three point twenty-
 21 two (303.22) of the Code. The zoning commission shall
 22 present to the division its objections, if any, to
 23 establishment of the suggested district, and the
 24 division and the zoning commission shall attempt to
 25 reach agreement concerning those objections. If the
 26 division and the zoning commission are unable to reach
 27 agreement within fourteen days, the city development
 28 board established in chapter three hundred sixty-
 29 eight (368) of the Code shall review the objections
 30 of the zoning commission and determine within thirty
 31 days whether the suggested district should be
 32 established, pursuant to section four (4) of this
 33 Act.

34 NEW UNNUMBERED PARAGRAPH. If the city does not
 35 have a zoning commission appointed pursuant to section
 36 four hundred fourteen point six (414.6) of the Code,
 37 or if the zoning commission has no objection to
 38 establishment of the suggested district, or if the
 39 city development board approves establishment of the
 40 suggested district, then the division shall immediately
 41 forward a list of the owners of the property and
 42 residents included within the suggested district to
 43 the county commissioner of elections.

44 Sec. 4. Chapter three hundred sixty-eight (368),
 45 Code 1979, is amended by adding the following new
 46 section:

47 NEW SECTION. HISTORICAL PRESERVATION DISTRICTS.

48 The board shall review the objections of city zoning
 49 commissions to establishment of historical preservation
 50 districts pursuant to chapter three hundred three

Page 3

1 (303) of the Code if such objections are raised.
 2 The board shall determine within thirty days whether
 3 the suggested district shall be established. In
 4 making its determination, the board shall consider
 5 whether the suggested district is an area of historical
 6 significance as defined in section three hundred three
 7 point twenty (303.20) of the Code and whether failure
 8 to establish the suggested historical preservation
 9 district would best serve the interests of the citizens
 10 of the city to avoid urban sprawl and discourage
 11 demolition of irreplaceable historical landmarks and
 12 other structures of historical significance. The

13 board shall notify the division of historical
 14 preservation and the zoning commission of its
 15 determination. The board's determination may be
 16 appealed pursuant to section three hundred sixty-eight
 17 point twenty-two (368.22) of the Code."

LLOYD-JONES of Johnson
 PAVICH of Pottawattamie
 GROTH of Buena Vista
 CONNOLLY of Dubuque

H-3613

1 Amend amendment H-3544, to House File 691, Page 1,
 2 as follows:
 3 1. Page 1, by inserting after line 17 the
 4 following:
 5 "All subscribers of residential telephone service
 6 who are sixty-five years of age or older."
 7 2. By numbering and renumbering as necessary.

BYERLY of Polk
 WALTER of Pottawattamie
 HALVORSON of Webster

H-3614

1 Amend amendment H-3544, to House File 691, Page 1,
 2 as follows:
 3 1. Page 1, by inserting after line 17 the
 4 following:
 5 "In addition to the other requirements of this
 6 section, the Iowa state commerce commission shall
 7 not approve any schedule of telephone service
 8 charges which imposes a fee or charge upon a sub-
 9 scriber for telephone directories received by the
 10 subscriber."

BYERLY of Polk
 CHIODO of Polk

H-3615

1 Amend amendment H-3544, to House File 691, Page 1,
 2 as follows:
 3 1. Page 1, by inserting after line 17 the
 4 following:
 5 "All hospitals, motels, hotels, nursing homes,
 6 and retirement homes."
 7 2. By numbering and renumbering as necessary.

BYERLY of Polk
 PAVICH of Pottawattamie

H-3620

- 1 Amend House File 663 as follows:
 2 1. Page 1, line 35, by inserting after the word
 3 "counsel." the words "The court shall determine,
 4 within six months from the date of the determination
 5 of a person's ability to pay for appointed counsel,
 6 the likelihood of impairment of the relationship
 7 between the child and the person if the person is
 8 ordered to pay."

MILLER of Buchanan
 CLARK of Cerro Gordo

H-3621

- 1 Amend House File 293 as follows:
 2 1. Page 1, line 4, by striking the word "farm".
 3 2. Page 1, line 11, by inserting after the word
 4 "corporation." the following: "For purposes of this
 5 subsection a family corporation is a corporation where
 6 the majority of the voting stock is held by and the
 7 majority of the stockholders are persons related to
 8 each other as spouse, parent, grandparent, lineal
 9 ascendants of grandparents or their spouses and other
 10 lineal descendants of the grandparents or their
 11 spouses, or persons acting in a fiduciary capacity
 12 for persons so related and where all of its
 13 stockholders are natural persons or persons acting
 14 in a fiduciary capacity for the benefit of natural
 15 persons."
 16 3. Amend the title, line 2, by striking the word
 17 "farm".

DIEMER of Black Hawk

H-3622

- 1 Amend House File 720 as follows:
 2 1. Page 3, line 26, by striking the word "twenty-
 3 five" and inserting in lieu thereof the word "ten".
 4 2. Page 3, line 27, by striking the words "one
 5 hundred" and inserting in lieu thereof the word
 6 "twenty-five".
 7 3. Page 3, line 31, by striking the word "fifteen"
 8 and inserting in lieu thereof the word "five".
 9 4. Page 5, line 4, by striking the word "twenty-
 10 five" and inserting in lieu thereof the word "ten".
 11 5. Page 5, line 5, by striking the words "one
 12 hundred" and inserting in lieu thereof the word

13 "twenty-five".

14 6. Page 5, line 27, by striking the word "twenty-
15 five" and inserting in lieu thereof the word "ten".

16 7. Page 5, line 28, by striking the words "one
17 hundred" and inserting in lieu thereof the word
18 "twenty-five".

19 8. Page 6, by striking lines 5 through 8.

PELTON of Clinton
MENKE of O'Brien
DE GROOT of Lyon
POFFENBERGER of Dallas
LAGESCHULTE of Bremer
ARNOULD of Scott

H-3630

1 Amend House File 691 as follows:

2 1. Page 2, by inserting after line 5 the following:

3 "Sec. 3. Section four hundred seventy-six point
4 six (476.6), Code 1979, is amended to read as follows:

5 476.6 CHANGE OF RATES - HEARING.

6 1. No A public utility subject to rate regulation
7 shall not make effective any new or changed rate,
8 charge, schedule or regulation except by filing the
9 same with the commission at least thirty days prior
10 to the effective date thereof. The commission, for
11 good cause shown, may allow changes in rates, charges,
12 schedules or regulations to become effective on less
13 than thirty days' notice until the rate, charge,
14 schedule or regulation has been filed with and approved
15 by the commission, except as otherwise provided in
16 this section or section two (2) of this Act. At the
17 time of filing, all statements of fact, expert
18 opinions, substantiating documents and exhibits which
19 will be used to support the request shall be included.
20 However, a utility shall not be denied the right to
21 submit additional information after the date of filing
22 if necessary to refute points raised after the date
23 of filing which are in opposition to the approval
24 requested in the filing. The commission shall not
25 approve a charge nor shall a public utility make a
26 charge for telephone directory assistance.

27 2. All public utilities, including those exempted
28 from rate regulation by the provisions of section
29 476.1, shall give written notice of any proposed
30 increase of any rate or charge to all affected
31 customers served by the public utility. Public
32 utilities which are exempt from rate regulation shall
33 give notice at least thirty days prior to the effective
34 date thereof of the increase. If the public utility
35 is subject to rate regulation, the notice to affected

36 customers shall also state that the customer has a
37 right to file a written objection to such rate increase
38 and that he may request the commission to hold a
39 public hearing to determine if such rate increase
40 should be allowed. The commission shall prescribe
41 the manner and method that the written notice to each
42 affected customer of the public utility shall be
43 served. Public utilities which are subject to rate
44 regulation shall give notice not later than forty-
45 five days after the request for the increase is filed
46 with the commission.

47 3. a. If a public utility is subject to rate
48 regulation the notice required by subsection two (2)
49 of this section shall state that the customer has
50 a right to file a written objection to the proposed

Page 2

1 rate increase. The notice also shall state that the
2 customer has the right to request an informational
3 hearing regarding the proposed increase. If the
4 commission receives timely requests from at least
5 fifty affected customers the commission shall issue
6 an order that an informational hearing be held at
7 the date, time and place specified in the order.
8 The informational hearing must be held in a central
9 location in the area affected by the proposed rate
10 increase and not less than ten days after the
11 commission issues the order setting that hearing.
12 A copy of the order shall be mailed on the date issued
13 by ordinary first class mail, postage prepaid, to
14 the utility and to each person submitting a timely
15 request. The commission also shall cause notice of
16 the hearing to be published in a newspaper with general
17 circulation in the affected area not less than five
18 calendar days prior to the hearing date.

19 b. The informational hearing shall be held prior
20 to the commencement of formal rate proceedings before
21 the commission. A member of the commission or a
22 hearing examiner shall serve as the presiding officer
23 at the hearing and shall establish an agenda which
24 must include a summary of the legal rights of affected
25 customers. Testimony given at the informational
26 hearing, either orally or in writing, shall be reported
27 and transcribed and shall become part of the record
28 in formal proceedings.

29 c. The commission shall issue rules specifying
30 the form, content, time and manner of delivery of
31 the notice and the request specified in this
32 subsection. Rules must allow an affected customer
33 not less than fifteen calendar days in which to submit
34 a request for an informational hearing, measured from

35 the date notice of the proposed rate increase is
36 mailed by the utility to its customers. Rules also
37 must allow the submission of requests either
38 individually or in petition form.

39 4. Nothing in this chapter shall be taken to
40 prohibit a public utility from establishing a sliding
41 scale of rates and charges or from making provision
42 for the automatic adjustment of rates and charges
43 for public utility service provided that a schedule
44 showing such sliding scale or automatic adjustment
45 of rates and charges is first filed with and approved
46 by the commission.

47 5. Whenever there is filed with the commission
48 by any public utility subject to rate regulation any
49 new or changed rates, charges, schedules or
50 regulations, the commission may, prior to the effective

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1 date thereof, docket the case as a formal proceeding
2 and set the case for hearing. The commission shall
3 give such notice of such formal proceedings as it
4 deems appropriate at least sixty days prior to the
5 date set for commencement of the hearing by publication
6 in a newspaper with general circulation in the affected
7 area.

8 After the initiation of such formal proceedings
9 and pending the final decision thereon, the commission
10 may, at any time before they become effective, suspend
11 the operation of such new or changed rates, charges,
12 schedules or regulations, but not for a period longer
13 than twelve months from the date when they would have
14 become effective if not suspended.

15 However, a public utility shall have the right
16 at any time after said rates, charges, schedules or
17 regulations have been suspended for ninety days to
18 place in effect any or all of such suspended rates,
19 charges, schedules or regulations by filing with the
20 commission a bond or other undertaking approved by
21 the commission conditioned upon the refund in a manner
22 to be prescribed by the commission of any amounts
23 collected thereunder in excess of the amounts which
24 would have been collected under rates, charges,
25 schedules or regulations finally approved by the
26 commission. The commission shall establish a rate
27 of interest to be paid by a public utility to persons
28 receiving refunds. Such rate of interest shall be
29 not less than five percent per annum, nor more than
30 nine percent per annum.

31 6. If, after hearing and decision on all issues
32 presented for determination in such rate a formal
33 proceeding, the commission shall find finds the
34 proposed rates, charges, schedules or rules regulations

35 of the utility to be unlawful, the same shall be set
36 aside and the commission shall by order authorize
37 and direct the utility to file rates, charges,
38 schedules or rules regulations which, when approved
39 by the commission and placed in effect, will satisfy
40 the requirements of this chapter. The rates, charges,
41 schedules or rules regulations so approved shall be
42 lawful and effective unless changed as herein provided
43 fourteen days after the date of approval, or at a
44 later date when the public utility places them into
45 effect. In the event a petition for rehearing is
46 filed or a petition for judicial review is sought
47 from an order concerning rates, charges, schedules
48 or rules which are in effect under bond, those rates,
49 charges, schedules or rules may, notwithstanding the
50 terms of the Iowa administrative procedure Act, be

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1 continued in effect by the utility under the terms
2 of a bond or other undertaking pending final
3 determination of the application for rehearing or
4 proceeding for judicial review of an order of the
5 commission.

6 7. If a decision is not rendered by the commission
7 within nine months after the date of filing, plus
8 extensions of time as provided in this subsection,
9 the utility has the right to place into effect as
10 of the expiration of the nine-month period plus
11 extensions any or all of the rates, charges, schedules
12 or regulations requested by filing with the commission
13 a bond or other undertaking approved by the commission
14 conditioned upon the refund in a manner to be
15 prescribed by the commission of any amounts collected
16 in excess of the amounts which would have been
17 collected under the rates, charges, schedules or
18 regulations finally approved by the commission. The
19 commission shall establish a rate of interest to be
20 paid by a public utility to persons receiving refunds,
21 which rate shall not be less than five nor more than
22 nine percent. The nine-month period specified in
23 this subsection shall be extended for a period equal
24 to any delay or postponement of the proceedings or
25 the final decision which occurs at the request or
26 by agreement of the utility. In the event a utility
27 elects to place a rate, charge, schedule or regulation
28 into effect under the authority of this subsection,
29 a temporary authority which has been granted to the
30 utility by the commission under section two (2) of
31 this Act, and the terms, conditions and limitations
32 contained in the temporary authority, shall terminate
33 on the date the new rate, charge, schedule or

34 regulation is placed into effect under this subsection.

35 Sec. 4. Chapter four hundred seventy-six (476),
36 Code 1979, is amended by adding the following new
37 section:

38 NEW SECTION. If the commission determines after
39 notice and hearing that a new or changed rate, charge,
40 schedule or regulation is essential to protect the
41 public interest or to enable a utility to provide
42 reasonably adequate service or preserve its property
43 while a proceeding is in progress under sections four
44 hundred seventy-six point six (476.6) or four hundred
45 seventy-six point seven (476.7) of the Code, the
46 commission may approve, subject to terms, conditions
47 and limitations as it deems proper, a reasonable and
48 temporary rate, charge, schedule or regulation which
49 shall be in effect until a decision is rendered by
50 the commission in the proceeding. When temporary

Page 5

1 authority is granted by the commission under this
2 section, a party acting upon any part of that order
3 shall be deemed to have accepted and waived all
4 objections to the terms, conditions and limitations
5 contained in the temporary authority. However, this
6 section does not require or authorize the commission
7 to require that a utility refund any portion of amounts
8 collected under a temporary order issued under this
9 section.

10 Sec. 5. Sections ~~three~~ (3) and four (4) of this
11 Act take effect January first following the enactment
12 of this Act, and apply to proceedings under section
13 four hundred seventy-six point six (476.6) or four
14 hundred seventy-six point seven (476.7) of the Code
15 which are commenced by a request submitted on or after
16 the effective date of sections three (3) and four
17 (4) of this Act."

JOCHUM of Dubuque

H-3631

1 Amend Senate File 388, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 9, by striking the word
4 "subsections" and inserting in lieu thereof the word
5 "subsection".

6 2. Page 1, by striking lines 13 through 17.

BRANDT of Black Hawk

H--3636

1 Amend House File 701 as follows:

2 1. Page 13, by inserting after line 7 the following
3 new section:

4 "Sec. . NEW SECTION. PARTIAL REIMBURSEMENT
5 TO COUNTIES FOR LOCAL INPATIENT MENTAL HEALTH CARE
6 AND TREATMENT.

7 1. Each county which pays, from county funds
8 budgeted under section four hundred forty-four point
9 twelve (444.12), subsection six (6) of the Code, as
10 amended by this Act, the cost of care and treatment
11 of mentally ill persons at a public or private
12 inpatient treatment facility, other than a state
13 mental health institute, is entitled to reimbursement
14 from the state for a portion of the cost incurred
15 by the county for each day an individual is so treated
16 or cared for at county expense. The amount of
17 reimbursement to which each county is entitled, on
18 a per-patient-per-day basis, shall be equal to forty
19 percent of the average of the four state mental health
20 institutes' individual average daily patient costs
21 for the most recent calendar quarter.

22 2. Each county may claim the reimbursement provided
23 for by subsection one (1) of this section by filing
24 with the department a claim in a form prescribed by
25 the commission by administrative rule. Claims may
26 be filed on a quarterly basis, and when received shall
27 be verified expeditiously by the department. The
28 department shall certify to the state comptroller
29 the amount to which each county claiming reimbursement
30 under this section is entitled, and the comptroller
31 shall issue warrants to the respective counties drawn
32 upon funds appropriated by the general assembly for
33 the purpose of this section. Each county shall place
34 funds received under this section in the county mental
35 health and institutions fund. If the appropriation
36 for any fiscal year is insufficient to pay all claims
37 arising under this section, the comptroller shall
38 prorate the funds appropriated for that year among
39 the claimant counties so that an equal proportion
40 of each county's claim is paid in each quarter for
41 which proration is necessary."

42 2. Page 48, by inserting after line 11 the
43 following new section:

44 "Sec. . Section two hundred thirty point twenty
45 (230.20), subsection five (5), Code 1979, is amended
46 to read as follows:

47 5. An individual statement shall be prepared for
48 any patient on or before the fifteenth day of the
49 month next succeeding that month in which that patient
50 leaves the hospital, and a general statement shall

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1 be prepared at least quarterly for each county to
 2 which charges are made under this section. Except
 3 as otherwise required by sections 224A.2 and 224A.3
 4 chapter one hundred twenty-five (125) of the Code,
 5 the general statement shall list the name of each
 6 patient chargeable to that county who was served by
 7 the hospital during the preceding month or calendar
 8 quarter and the amount due on account of each patient,
 9 and the county shall be billed for ~~one hundred sixty~~
 10 percent of the stated charge for each patient, unless
 11 otherwise specified in the current appropriation for
 12 support of the state hospitals. The statement prepared
 13 for each county shall be certified by the
 14 superintendent of the hospital to the state comptroller
 15 and a duplicate statement shall be mailed to the
 16 auditor of that county."

DAGGETT of Taylor
 DANKER of Pottawattamie
 DOYLE of Woodbury
 HINKHOUSE of Cedar
 HALL of Linn
 PAVICH of Pottawattamie
 DE GROOT of Lyon

MILLER of Buchanan
 HUMMEL of Benton
 LIND of Black Hawk
 HUSAK of Tama
 WELLS of Linn
 COCHRAN of Webster
 PERKINS of Greene
 HORN of Linn

H-3640

1 Amend House File 720 as follows:
 2 1. Page 3, by inserting after line 28 the
 3 following:
 4 "2. An official, employee, local official, local
 5 employee, member of the general assembly or legislative
 6 employee shall not accept a gift in excess of two
 7 dollars in value while receiving actual and necessary
 8 expenses or travel from the employing government."
 9 2. By renumbering the subsections to conform with
 10 this amendment.

LURA of Marshall
 HANSON of Delaware
 DAGGETT of Taylor
 CONLON of Muscatine
 HOLT of Clay
 CLARK of Cerro Gordo

H—3645

1 Amend House File 720 as follows:

2 1. Page 3, line 25, by striking the words "member
3 of the general assembly".

4 2. Page 3, by inserting after line 28 the
5 following:

6 "2. A member of the general assembly shall not
7 accept a gift."

8 3. Page 4, line 32, by striking the word "serious"
9 and inserting in lieu thereof the words "serious simple".

10 4. Page 5, by striking lines 3 through 9 and
11 inserting in lieu thereof the following: "anything
12 of value or benefit pursuant to an agreement or".

13 5. Page 5, by striking lines 25 through 32 and
14 inserting in lieu thereof the following: "knowingly
15 accept or receive any promise or anything of value
16 or benefit given pursuant to an agreement or".

17 6. By renumbering the sections and subsections
18 to conform with this amendment.

CONLON of Muscatine

H—3646

1 Amend Senate File 373 as follows:

2 1. Page 24, by striking lines 8 through 12.

KIRKENSLAGER of Des Moines

H—3647

1 Amend House File 722 as follows:

2 1. Page 1, by inserting before line 1 the following
3 new section:

4 "Section . Section three hundred twenty-one
5 point one hundred nine (321.109), subsection one (1),
6 Code 1979, is amended to read as follows:

7 1. The annual fee for all motor vehicles including
8 vehicles designated by manufacturers as station wagons,
9 except motor trucks, hearses, motorcycles, and motor
10 bicycles, shall be equal to one percent of the value
11 as fixed by the department plus ~~forty~~ twenty cents
12 for each one hundred pounds or fraction thereof of
13 weight of vehicle, as fixed by the department. The
14 weight of a motor vehicle, fixed by the department
15 for registration purposes, shall include the weight
16 of a battery, heater, bumpers, spare tire, and wheel.
17 Provided, however, that for any new vehicle purchased
18 in this state by a nonresident for removal to his
19 state of residence the purchaser may make application
20 to the county treasurer in the county of purchase

21 for a transit plate for which a fee of five dollars
22 shall be paid. And provided, however, that for any
23 used vehicle held by a registered dealer and not
24 currently registered in this state, or for any vehicle
25 held by an individual and currently registered in
26 this state, when purchased in this state by a
27 nonresident for removal to his state of residence,
28 the purchaser may make application to the county
29 treasurer in the county of purchase for a transit
30 plate for which a fee of three dollars shall be paid.
31 The county treasurer shall issue a nontransferable
32 certificate of registration for which no refund shall
33 be allowed; and the transit plates shall be void
34 thirty days after issuance. Such purchaser may apply
35 for a certificate of title by surrendering the
36 manufacturer's or importer's certificate or certificate
37 of title, duly assigned as provided in this chapter.
38 In this event, the treasurer in the county of purchase
39 shall, when satisfied with the genuineness and
40 regularity of the application, and upon payment of
41 a fee of two dollars, issue a certificate of title
42 in the name and address of such nonresident purchaser
43 delivering the same to the person entitled thereto
44 as provided in this chapter."

45 2. Renumber sections and correct internal
46 references as are necessary in accordance with this
47 amendment.

MILLER of Buchanan

H-3649

1 Amend House File 722 as follows:

2 1. Page 1, by inserting before line 1 the following
3 new section:

4 "Section . Section three hundred twenty-one
5 point one hundred nine (321.109), subsection one (1),
6 Code 1979, is amended to read as follows:

7 1. The annual fee for all motor vehicles including
8 vehicles designated by manufacturers as station wagons,
9 except motor trucks, hearses, motorcycles, and motor
10 bicycles, shall be equal to one percent of the value
11 as fixed by the department plus forty cents for each
12 one hundred pounds or fraction thereof of weight of
13 vehicle, as fixed by the department. The weight of
14 a motor vehicle, fixed by the department for
15 registration purposes, shall include the weight of
16 a battery, heater, bumpers, spare tire, and wheel.
17 Provided, however, that for any new vehicle purchased
18 in this state by a nonresident for removal to his
19 state of residence the purchaser may make application
20 to the county treasurer in the county of purchase

21 for a transit plate for which a fee of five dollars
 22 shall be paid. And provided, however, that for any
 23 used vehicle held by a registered dealer and not
 24 currently registered in this state, or for any vehicle
 25 held by an individual and currently registered in
 26 this state, when purchased in this state by a
 27 nonresident for removal to his state of residence,
 28 the purchaser may make application to the county
 29 treasurer in the county of purchase for a transit
 30 plate for which a fee of three dollars shall be paid.
 31 The county treasurer shall issue a nontransferable
 32 certificate of registration for which no refund shall
 33 be allowed; and the transit plates shall be void
 34 thirty days after issuance. Such purchaser may apply
 35 for a certificate of title by surrendering the
 36 manufacturer's or importer's certificate or certificate
 37 of title, duly assigned as provided in this chapter.
 38 In this event, the treasurer in the county of purchase
 39 shall, when satisfied with the genuineness and
 40 regularity of the application, and upon payment of
 41 a fee of two dollars, issue a certificate of title
 42 in the name and address of such nonresident purchaser
 43 delivering the same to the person entitled thereto
 44 as provided in this chapter."
 45 2. Renumber sections and correct internal
 46 references as are necessary, in accordance with this
 47 amendment.

MILLER of Buchanan

H-3650

1 Amend House File 682 as follows:
 2 1. Page 3, by inserting after line 6 the
 3 following:
 4 "Sec. **NEW SECTION. SMOKE DETECTION SYSTEMS**
 5 **REQUIRED.** Smoke detection systems shall be
 6 installed in all apartment houses, hotels, motels,
 7 and rooming houses or parts of buildings used for
 8 such purposes throughout the state on which
 9 construction is begun after the effective date of
 10 this Act. Smoke detection systems shall meet such
 11 performance standards and installation requirements
 12 as the state building code commissioner, in
 13 consultation with the state fire marshal, shall by
 14 rule prescribe."

BINA of Scott

H-3651

- 1 Amend House File 676 as follows:
- 2 1. Page 1, line 10, by striking the words "dance
- 3 schools and dance studios;" and inserting in lieu
- 4 thereof the words "dance schools and dance studios;".

ANDERSON of Jasper
 PELLETT of Cass
 KREWSON of Polk
 PERKINS of Greene
 JOHNSON of Woodbury
 O'KANE of Woodbury
 LONERGAN of Boone
 DAVITT of Warren
 BINNEBOESE of Plymouth
 CHIDO of Polk

H-3652

- 1 Amend House File 676 as follows:
- 2 1. Page 1, by striking lines 26 and 27 and
- 3 inserting in lieu thereof the following:
- 4 "and stitching; shoe repair and shoeshine; storage
- 5 warehousing of raw agricultural products; telephone
- 6 answering service;".

HUSAK of Tama
 BYERLY of Polk

H-3653

- 1 Amend House File 720 as follows:
- 2 1. Page 2, by striking lines 30 through 33.
- 3 2. Page 3, by striking line 24 through page 4,
- 4 line 12 and inserting in lieu thereof the following:
- 5 "An official, employee, local official, local
- 6 employee, member of the general assembly or legislative
- 7 employee shall not accept a gift."
- 8 3. Page 5, by striking lines 3 through 9 and
- 9 inserting in lieu thereof the following: "anything
- 10 of value or benefit pursuant to an agreement or".
- 11 4. Page 5, by striking lines 25 through 32 and
- 12 inserting in lieu thereof the following: "knowingly
- 13 accept or receive any promise or anything of value
- 14 or benefit given pursuant to an agreement or".
- 15 5. By renumbering the subsections to conform with
- 16 this amendment.

O'KANE of Woodbury

H—3654

- 1 Amend House File 720 as follows:
- 2 1. Page 2, line 34, by inserting after the word
- 3 "contributions" the words "unless the contribution
- 4 exceeds one thousand dollars for a candidate to a
- 5 statewide office or three hundred dollars for a
- 6 candidate for the general assembly".

HALVORSON of Webster

H—3655

- 1 Amend House File 728 as follows:
- 2 1. Page 1, line 11, by striking "and water".
- 3 2. Page 1, line 19, by striking "and water".
- 4 3. Page 1, line 22, by striking "and water".

VAN MAANEN of Mahaska
DAGGETT of Taylor

H—3657

- 1 Amend Senate File 388, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 27, by striking the date "July
- 4 31" and inserting in lieu thereof the date "November
- 5 1".

JOHNSON of Linn

H—3658

- 1 Amend House File 697 as follows:
- 2 1. Page 8, line 22, by inserting after the word
- 3 "present" the words "and future".
- 4 2. Page 8, by striking lines 23 and 24 and
- 5 inserting in lieu thereof the words "the merged area.
- 6 If the project is for the acquisition and operation
- 7 of student residence halls or dormitories the state
- 8 board shall find, by resolution, that suitable
- 9 privately-owned housing is not available."

JOHNSON of Linn

H—3660

- 1 Amend House File 722 as follows:
- 2 1. Page 6, by inserting after line 20 the following
- 3 new section:
- 4 "Sec. . Section four hundred twenty-three point

5 four (423.4), Code 1979, is amended by adding the
6 following new subsection:
7 **NEW SUBSECTION.** Tangible personal property used
8 in interstate transportation or interstate commerce."
9 2. Amend the title, line 2, by inserting after
10 the word "vehicles" the words ", exempt from the use
11 tax tangible personal property used in interstate
12 transportation and commerce,".

PAVICH of Pottawattamie
WALTER of Pottawattamie

H-3661

1 Amend House File 702 as follows:
2 1. Page 1, by striking lines 7 and 8 and inserting
3 in lieu thereof the following:
4 "Sec. Section one hundred seventy-four point
5 ten (174.10), Code 1979, is amended by adding the
6 following new unnumbered paragraph:
7 **NEW UNNUMBERED PARAGRAPH.** In counties having two
8 incorporated agricultural societies conducting county
9 fairs, but not having two definitely separate county
10 extension offices, the state aid shall be paid to
11 that society determined to be conducting the official
12 county fair. The board of supervisors, upon receiving
13 a petition signed by ten percent of the qualified
14 electors of the county having voted in the preceding
15 general election for the office of president of the
16 United States or governor as applicable, shall submit
17 to the qualified electors of the county at the next
18 general election following submission of the petition
19 or at a special election if requested by the
20 petitioners at no cost to the county, the question
21 of which fair shall be designated as the official
22 county fair. Notice of the election shall be given
23 as provided in section forty-nine point fifty-three
24 (49.53) of the Code. The fair receiving a majority
25 of the votes cast on the question shall be designated
26 the official county fair. To qualify as the official
27 county fair, the sponsoring society need not meet
28 the conditions provided in the preceding paragraph
29 of this section.
30 Sec. Section one hundred seventy-four point
31 eleven (174.11), Code 1979, is amended to read as
32 follows:
33 174.11 AMOUNT ALLOWED AS STATE AID. The amount
34 allowed to any society as state aid shall be a sum
35 equal to eighty percent of the first one thousand
36 dollars, seventy percent of the second one thousand
37 dollars, and sixty percent of the third one thousand
38 dollars paid in cash by the society for premiums at

39 its annual fair for the current year, but the total
 40 aid shall not in any one year exceed two thousand
 41 dollars to any one agricultural society. Provided,
 42 however, in counties having more than one fair entitled
 43 to state aid, except in counties where there are two
 44 definitely separate county extension offices, the
 45 state aid available for the county shall be prorated
 46 to said fairs paid to the fair designated as the
 47 official county fair as determined in section one
 48 hundred seventy-four point ten (174.10) of the Code,
 49 which have has been in existence for ten three years
 50 or more, on the basis of cash premiums paid by said

Page 2

1 fairs.

2 Sec. . Section one hundred seventy-four point
 3 thirteen (174.13), Code 1979, is amended by adding
 4 the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. The funds received from
 6 the tax levy authorized in this section shall be paid
 7 to the society conducting the official county fair
 8 in the county as provided in section one hundred
 9 seventy-four point ten (174.10) of the Code."

10 2. By numbering sections to conform to this
 11 amendment.

12 3. Amend the title, line 1, by inserting after
 13 the word "to" the words "state and county aid to an
 14 official county fair and the compensation of".

SWEARINGEN of Keokuk
 DIEMER of Black Hawk
 LURA of Marshall
 HOFFMANN of Muscatine
 STROMER of Hancock
 MULLINS of Kossuth

H-3670

1 Amend Senate File 230 as passed by the Senate as
 2 follows:

3 1. Page 1, by striking lines 10 through 16 and
 4 inserting in lieu thereof the words "sign language
 5 and who is qualified to interpret for legal services."

6 2. Page 2, by striking lines 4 through 9.

7 3. Page 2, by striking lines 18 through 20 and
 8 inserting in lieu thereof the following: "impaired
 9 person and a third party which is privileged under
 10 chapter six hundred twenty-two (622) of the Code in
 11 which the interpreter participates as an interpreter

- 12 shall be privileged to the interpreter".
 13 4. Page 2, by striking lines 24 through 30 and
 14 inserting in lieu thereof the following: "Act is
 15 entitled to a reasonable fee and expenses as determined
 16 by the court or administrative agency. If the".
 17 5. Page 2, line 32, by inserting after the word
 18 "fund" the words "and charged to costs".
 19 6. Page 3, by striking lines 7 and 8 and inserting
 20 in lieu thereof the words "another qualified
 21 interpreter."

CONLON of Muscatine

H-3671

- 1 Amend Senate File 230 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 10 through 13 and
 4 inserting in lieu thereof the words "sign language
 5 whose actual qualifications are determined by".

MILLER of Buchanan

H-3674

- 1 Amend House File 653 as follows:
 2 1. Page 2, by inserting after line 33 the
 3 following:
 4 "() That amygdalin contains traces of cyanide
 5 and could be hazardous to your health."

JOCHUM of Dubuque
 PATCHETT of Johnson

H-3675

- 1 Amend House File 653 as follows:
 2 1. Page 2, by inserting after line 33 the
 3 following:
 4 "() That amygdalin has not been proven to be
 5 effective when used as a treatment for a malignancy."
 6 2. By numbering and renumbering as required by
 7 this amendment.

JOCHUM of Dubuque
 PATCHETT of Johnson

H-3679

- 1 Amend Senate File 75 as follows:
 2 1. Page 1, line 3, by striking the words
 3 "AND PROMOTIONS" and inserting in lieu thereof the
 4 words "AND PROMOTIONS".

SPEAR of Lee

H-3682

- 1 Amend Senate File 456, as passed by the Senate
 2 and reprinted, as follows:
 3 1. Page 1, by striking lines 21 through 26 and
 4 inserting in lieu thereof the following: "mination
 5 of adequacy."

BRANDT of Black Hawk

H-3684

- 1 Amend House File 701 as follows:
 2 1. Page 9, line 27, by striking the word
 3 "heads" and inserting in lieu thereof the word
 4 "head".

SPEAR of Lee

H-3687

- 1 Amend House File 731 as follows:
 2 1. Page 1, by inserting after line 17 the
 3 following:
 4 "Sec. . Section five hundred thirty-seven point
 5 five thousand one hundred ten (537.5110), Code 1979,
 6 is amended by adding the following new subsection:
 7 NEW SUBSECTION. As an exception to the other
 8 provisions of this section, if the default of the
 9 consumer in a consumer credit transaction is the
 10 failure to make a payment within the time required
 11 by the agreement, the creditor may commence an action
 12 for money judgment without giving the consumer the
 13 notice of right to cure where the outstanding
 14 obligation of the consumer, including any amounts
 15 the payment of which is accelerated under the agreement
 16 as a result of the default, and including accrued
 17 delinquency charges, does not exceed one thousand
 18 dollars. However, this exception does not apply if
 19 the obligation of the consumer is secured by collateral
 20 or if the transaction is an insurance premium loan."

DOYLE of Woodbury

H-3688

- 1 Amend Senate File 93, as passed by the Senate and
 2 reprinted, as follows:
 3 1. Page 1, line 9, by inserting after the word
 4 "physician." the following: "The dispensing or admin-
 5 istration of any drug including prescription, non-

6 prescription or controlled substances for the purpose
 7 of treatment of any disease or abnormal condition of
 8 the human eye except contact lens wetting agents is
 9 prohibited and nothing in this bill shall be construed
 10 to permit such treatment."

HINKHOUSE of Cedar

H-3689

1 Amend House File 560 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting in lieu thereof the following:
 4 "Section 1. NEW SECTION. MANDATORY PROVISIONS—
 5 PRODUCTS LIABILITY INSURANCE. A company issuing
 6 an insurance policy insuring against products liability
 7 shall be deemed as a condition of exercising the
 8 privilege of transacting that business in this state
 9 to have agreed that the policy shall not be canceled,
 10 and that the issuer shall not refuse to renew the
 11 policy on any grounds other than nonpayment of premium,
 12 unless the issuer gives written notice of the intended
 13 cancellation or nonrenewal not less than thirty days
 14 prior to the date upon which the policy shall be
 15 canceled or expires, notwithstanding any provision
 16 of the policy to the contrary."
 17 2. Amend the title by striking lines 1 through
 18 19 and inserting in lieu thereof the following: "An
 19 Act requiring an insurer to give advance notice of
 20 cancellation or of intent to not renew an insurance
 21 policy insuring against products liability."

TYRRELL of Iowa

H-3690

1 Amend the Conlon amendment, H-3626, to House File
 2 693 as follows:
 3 1. Page 2, by inserting after line 5 the following:
 4 "1. By striking everything after the enacting
 5 clause and inserting in lieu thereof the following:
 6 "Section 1. Section four hundred twenty-two point
 7 nine (422.9), subsection one (1), Code 1979, is amended
 8 by striking the subsection and inserting in lieu
 9 thereof the following:
 10 1. An optional standard deduction of twenty percent
 11 multiplied by the adjusted inflation factor of the
 12 net income after deduction of federal income tax,
 13 not to exceed one thousand dollars multiplied by the
 14 adjusted inflation factor for a married person who
 15 files separately, or two thousand dollars multiplied
 16 by the adjusted inflation factor for a single person

17 or three thousand dollars multiplied by the adjusted
 18 inflation factor for a husband and wife who file a
 19 joint return or a surviving spouse as defined in
 20 section two (2) of the Internal Revenue Code of 1954.
 21 For purposes of this subsection, "adjusted inflation
 22 factor" means the product of the annual inflation
 23 factor for the twelve-month period ending on December
 24 1, 1979 and all annual inflation factors for subsequent
 25 twelve-month periods ending on December first as
 26 determined pursuant to this subsection. The adjusted
 27 inflation factor shall apply to all tax years beginning
 28 on or after January first of the calendar year in
 29 which the latest annual inflation factor has been
 30 determined. For purposes of this subsection "annual
 31 inflation factor" means an index, expressed as a
 32 percentage, determined by the general assembly on
 33 or before May first of each year to reflect the
 34 purchasing power of the dollar as a result of inflation
 35 or deflation during the preceding twelve-month period
 36 ending on December first. In determining the annual
 37 inflation factor, the general assembly shall use the
 38 best statistics available for the preceding twelve-
 39 month period ending on December first and the
 40 statistics shall include, but not be limited to, the
 41 monthly national and Des Moines area consumer price
 42 indexes if available produced by the bureau of labor
 43 statistics of the United States department of labor
 44 and the commodity indexes published in "The Wall
 45 Street Journal" by Dow Jones and Company.
 46 Sec. 2. This Act is effective January first
 47 following enactment for tax years beginning on or
 48 after January first following enactment." "
 49 2. Page 1, by striking lines 2 through 50.
 50 3. Page 2, by striking lines 1 through 5 and

Page 2

1 inserting in lieu thereof the following:
 2 "2. Amend the title, by striking everything after
 3 the word "Act" in line 1 and inserting in lieu thereof
 4 the words "to increase the standard deduction for
 5 persons filing a state income tax return and to adjust
 6 the standard deduction annual to compensate for
 7 inflation." "

NORLAND of Worth
 ANDERSON of Jasper
 DOYLE of Woodbury
 CHIODO of Polk
 CONNORS of Polk
 JOCHUM of Dubuque
 WELSH of Dubuque

AVENSON of Fayette
 DAVITT of Warren
 COCHRAN of Webster
 JESSE of Polk
 BRUNER of Story
 RAPP of Black Hawk
 MILLER of Buchanan

HUSAK of Tama
 WELLS of Linn
 CONNOLLY of Dubuque
 HORN of Linn
 WOODS of Polk
 HULLINGER of Decatur
 BRANDT of Black Hawk
 HOWELL of Floyd
 DIELEMAN of Marion
 HINKHOUSE of Cedar
 PATCHETT of Johnson
 BINA of Scott
 WALTER of Pottawattamie
 LLOYD-JONES of Johnson
 HALL of Linn

CUSACK of Scott
 PAVICH of Pottawattamie
 HALVORSON of Webster
 BYERLY of Polk
 PERKINS of Greene
 O'KANE of Woodbury
 OXLEY of Linn
 GROTH of Buena Vista
 SPEAR of Lee
 BINNEBOESE of Plymouth
 ARNOULD of Scott
 GETTINGS of Wapello
 SHERZAN of Polk
 JAY of Appanoose

H-3691

1 Amend the Conlon amendment, H-3626, to House

2 File 693 as follows:

3 1. Page 1, by striking lines 2 through 50 and

4 inserting in lieu thereof the following:

5 "1. By striking everything after the enacting
 6 clause and inserting in lieu thereof the following:

7 "Section 1. Section four hundred twenty-two,
 8 point five (422.5), subsections four (4) and five
 9 (5), Code 1979, are amended to read as follows:

10 4. On the fourth thousand dollars of taxable in-
 11 come, or any part thereof, ~~three and one-half two~~
 12 and three-fourths percent.

13 5. On the fifth, sixth, and seventh thousand dollars
 14 of taxable income, or any part thereof, ~~five four~~
 15 and one-half percent.

16 Sec. 2. Section four hundred twenty-two point
 17 nine (422.9), subsection one (1), Code 1979, is amended
 18 by striking the subsection and inserting in lieu
 19 thereof the following:

20 1. An optional standard deduction of twenty per-
 21 cent multiplied by the adjusted inflation factor of
 22 the net income after deduction of federal income tax,
 23 not to exceed one thousand dollars multiplied by the
 24 adjusted inflation factor for a married person who
 25 files separately, or two thousand dollars multiplied
 26 by the adjusted inflation factor for a single person
 27 or three thousand dollars multiplied by the adjusted
 28 inflation factor for a husband and wife who file a
 29 joint return or a surviving spouse as defined in
 30 section 2 of the Internal Revenue Code of 1954.
 31 However, the standard deductions allowed under this
 32 subsection shall not exceed the federal standard
 33 deduction in any year. For purposes of this subsection,
 34 "adjusted inflation factor" means the product of the

35 annual inflation factor for the twelve-month period
36 ending on December 1, 1979 and all annual inflation
37 factors for subsequent twelve-month periods ending
38 on December first as determined pursuant to this
39 subsection. The adjusted inflation factor shall
40 apply to all tax years beginning on or after January
41 first of the calendar year in which the latest annual
42 inflation factor has been determined. For purposes
43 of this subsection "annual inflation factor" means
44 an index, expressed as a percentage, determined by the
45 general assembly on or before May first of each year
46 to reflect the purchasing power of the dollar as a
47 result of inflation or deflation during the preceding
48 twelve-month period ending on December first. In de-
49 termining the annual inflation factor, the general
50 assembly shall use the best statistics available

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1 for the preceding twelve-month period ending on
2 December first and the statistics shall include, but
3 not be limited to, the monthly national and Des Moines
4 area consumer price indexes if available produced by
5 the bureau of labor statistics of the United States
6 department of labor and the commodity indexes pub-
7 lished in "The Wall Street Journal" by Dow Jones
8 and Company.

9 Sec. 3. Section four hundred twenty-two point nine
10 (422.9), subsection two (2), paragraph b, Code 1979,
11 is amended to read as follows:

12 b. Add the amount of federal income taxes paid or
13 accrued as the case may be, during the tax year, adjusted
14 by any federal income tax refunds to the extent such
15 refunds result from a carry-back of a federal loss or
16 tax credit to a prior tax year. Provided, however, that
17 where married persons, who have filed a joint
18 federal income tax return, file separately, such the
19 total shall be divided between them according to the
20 portion therefore paid or accrued, as the case may be,
21 by each.

22 In addition to the deduction and adjustment allowed
23 under paragraph b of this subsection, taxpayers who
24 deducted federal income taxes on a cash basis for
25 tax years beginning prior to January 1, 1979 shall deduct
26 any additional federal income taxes paid for tax years
27 beginning prior to January 1, 1979 in the year of payment
28 and shall add to Iowa income any refunds or credits of
29 federal income taxes paid for tax years beginning prior
30 to January 1, 1979 in the tax year the refund or credit
31 is received.

32 However, if the computation under the preceding para-
33 graph results in a deduction for the taxpayer for the tax

34 year for which the taxpayer is allowed a credit as pro-
35 vided for in sections five (5) through nine (9) of
36 this Act, the taxpayer shall subtract from the amount of
37 the deduction computed under the preceding paragraph an
38 amount, not to exceed the amount of such deduction, which
39 is equal to the amount of the taxpayer's income tax
40 liability, not to exceed two thousand five hundred dollars,
41 used to compute the credit as provided for in sections
42 five (5) through nine (9) of this Act.

43 Sec. 4. Section four hundred twenty-two point thirty-
44 five (422.35), subsection four (4), Code 1979, is amended
45 to read as follows:

46 4. Subtract fifty percent of the federal income taxes
47 paid or accrued, as the case may be, during the tax year,
48 adjusted by any federal income tax refunds to the extent
49 such refunds result from a carry-back of a federal loss or
50 tax credit to a prior tax year; and add the Iowa income

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1 tax deducted in computing said taxable income.
2 However, for the first tax year beginning on or
3 after January 1, 1979, and ending prior to December
4 31, 1980, in lieu of the deductions and adjustments
5 related to federal income taxes specified in this
6 subsection, taxpayers shall deduct the larger of (1)
7 the additional federal income taxes paid during this
8 tax year for tax years beginning prior to January
9 1, 1979, adjusted by any federal income tax refunds
10 or credits received in this tax year on federal income
11 taxes paid for tax years beginning prior to January
12 1, 1979, or (2) the accrued federal income tax
13 liability for this tax year adjusted by any additional
14 federal income taxes paid or refunds or credits
15 received in this tax year on federal income taxes
16 paid for tax years beginning prior to January 1,
17 1978.

18 Sec. 5. Except as otherwise provided in sections
19 six (6) and seven (7) of this Act, each individual
20 shall be treated as having made an additional payment
21 against the tax imposed by division two (II) of chapter
22 four hundred twenty-two (422) of the Code, for a tax
23 year beginning in 1979 in an amount as determined
24 pursuant to section six (6) of this Act and the
25 additional payment shall be allowed as an additional
26 credit on tax returns filed in 1980 or 1981 for a tax
27 year beginning in 1979. The credit allowed under this
28 section shall be deducted after the credits allowed in
29 section four hundred twenty-two point twelve (422.12)
30 of the Code and if the credit allowed under this sec-
31 tion exceeds the tax liability of the taxpayer, the
32 additional amount of the credit shall be considered a

33 rebate.

34 Sec. 6. The amount treated as paid by the taxpayer
35 for the tax year beginning in 1979 by reason of sec-
36 tions five (5) through seven (7) of this Act shall be
37 as follows:

38 1. The amount of the taxpayer's tax liability to
39 the extent the tax liability does not exceed fifteen
40 dollars.

41 2. Fifteen dollars, to the extent the taxpayer's
42 tax liability is greater than fifteen dollars but
43 less than one hundred fifty dollars.

44 3. Ten percent of the taxpayer's liability to
45 the extent the tax liability is one hundred fifty
46 dollars or more, but in no event shall the tax
47 payment exceed two hundred fifty dollars.

48 Sec. 7. For purposes of sections five (5) through
49 seven (7) of this Act, the tax liability for the
50 tax year beginning in 1979 shall be the tax imposed

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1 by division two (II) of chapter four hundred twenty-
2 two (422) of the Code, for that year, reduced by the
3 sum of the credits allowable under section four
4 hundred twenty-two point twelve (422.12) of the
5 Code for that year. A husband and wife shall be
6 considered one taxpayer and the amount of the re-
7 bate shall be determined on the basis of the combined
8 tax liability of the husband and wife.

9 Sec. 8. The provisions of sections five (5)
10 through seven (7) of this Act shall not be in effect
11 after June 30, 1981.

12 Sec. 9. The director of revenue may adopt rules
13 pursuant to chapter seventeen A (17A) of the Code to
14 carry out the provisions of sections five (5) through
15 seven (7) of this Act.

16 Sec. 10. The provisions of sections five (5)
17 through nine (9) of this Act shall not be codified
18 in the permanent Code but shall be printed in the
19 session laws only.

20 Sec. 11. This Act is retroactive to January 1,
21 1979 for tax years beginning on or after that date." "

22 2. Page 2, by striking lines 1 through 5 and
23 inserting in lieu thereof the following:

24 "2. Amend the title, by striking everything
25 after the word "Act" in line 1 and inserting in
26 lieu thereof the words "relating to the individual
27 and corporate income tax by adjusting tax rates,
28 providing for the deduction of the federal income
29 tax accrued for the tax year, indexing the standard
30 deduction, allowing an additional credit in 1979

31 taxes, making an appropriation and making the Act
 32 retroactive."

NORLAND of Worth
 DAVITT of Warren
 COCHRAN of Webster
 CHIODO of Polk
 CONNORS of Polk
 BRUNER of Story
 WELSH of Dubuque
 GROTH of Buena Vista
 SPEAR of Lee
 BINEBOESE of Plymouth
 ARNOULD of Scott
 GETTINGS of Wapello
 SHERZAN of Polk
 CUSACK of Scott
 HUSAK of Tama
 WELLS of Linn
 HALVORSON of Webster
 HULLINGER of Decatur
 BRANDT of Black Hawk
 JAY of Appanoose

AVENSON of Fayette
 ANDERSON of Jasper
 DOYLE of Woodbury
 JESSE of Polk
 RAPP of Black Hawk
 JOCHUM of Dubuque
 HOWELL of Floyd
 DIELEMAN of Marion
 HINKHOUSE of Cedar
 PATCHETT of Johnson
 BINA of Scott
 WALTER of Pottawattamie
 LLOYD-JONES of Johnson
 MILLER of Buchanan
 PAVICH of Pottawattamie
 CONNOLLY of Dubuque
 HORN of Linn
 O'KANE of Woodbury
 OXLEY of Linn
 HALL of Linn

H-3692

1 Amend the West et al amendment, H-3676, to House
 2 File 693 as follows:
 3 1. Page 1, by striking lines 7 through 50 and
 4 inserting in lieu thereof the following:
 5 "Section 1. There is appropriated from the general
 6 fund of the state for the fiscal biennium beginning
 7 July 1, 1979 and ending June 30, 1981 to the "academic
 8 revenue bond fund" hereby created in the office of
 9 the treasurer of state the sum of thirty-nine million
 10 six hundred thirty thousand (39,630,000) dollars.
 11 Moneys credited to the academic revenue bond fund
 12 shall be used to pay principal and interest on academic
 13 revenue bonds of the board of regents at such time
 14 that the interest and principal on the bonds become
 15 due and payable. Annually, upon demand of the board
 16 of regents, the treasurer of state shall transfer
 17 moneys from the fund needed to pay principal and
 18 interest due on the bonds and meeting bond reserve
 19 fund requirements during that fiscal year. Moneys
 20 deposited in the academic revenue bond fund under
 21 the provisions of this section shall be invested by
 22 the treasurer of state in the same manner as other
 23 state moneys are invested and any interest earned
 24 on these moneys shall be credited to the fund. Any
 25 moneys remaining in the academic revenue bond fund

26 after June 30, 1998 shall revert to the general fund
27 of the state."

28 2. Page 2, by striking lines 1 through 36.

29 3. Page 2, lines 39 and 40, by striking the words
30 "providing for an individual income tax rebate for
31 1978 taxes and making an appropriation" and inserting
32 in lieu thereof the words "to establish an academic
33 revenue bond fund in the office of the treasurer of
34 state for retirement of academic revenue bonds and
35 making an appropriation".

HORN of Linn

H-3693

1 Amend the West amendment, H-3676, to the Conlon
2 amendment, H-3626, to House File 693 as follows:

3 1. Page 2, by inserting after line 22 the following
4 new section:

5 "Sec. . The name of an elected official of
6 this state shall not appear on the rebate warrant,
7 the envelope in which the rebate warrant is placed,
8 or any other printed material which may be enclosed
9 in the envelope which is to be sent to a taxpayer."

ARNOULD of Scott

H-3697

1 Amend House File 699 as follows:

2 1. Page one, line 2 by striking the word "three"
3 and inserting in lieu thereof the word "five".

4 2. Page one, line 4 by striking the word "three"
5 and inserting in lieu thereof the word "five".

6 3. Page one, line 5 by inserting after the word
7 "house." the following:

8 "At least one committee member shall be selected
9 from each of the house committees on Human Resources
10 and Judiciary and Law Enforcement, and each of the
11 senate committees on Human Resources and Judiciary,
12 and at least one house and senate member from the
13 Joint Appropriations Subcommittee on Social Services.
14 No more than six members of the committee shall be
15 members of the majority party."

LLOYD-JONES of Johnson

H-3706

1 Amend amendment H-3630 to House File 691 as
2 follows:

3 1. Page 1, by striking lines 2 through 4 and

- 4 inserting in lieu thereof the following:
5 "1. Page 1, by striking lines 1 through 12
6 and inserting in lieu thereof the following:
7 "Section 1. Section four hundred seventy-six
8 point six (476.6), Code 1979, is amended to read
9 as follows:"
10 2. Page 4, line 22, by striking the words
11 "nine percent" and inserting in lieu thereof the
12 words "twelve percent compounded annually".

JOCHUM of Dubuque

H-3718

- 1 Amend the House committee amendment, H-3713
2 to Senate File 373 as follows:
3 1. By striking page 1, line 47 through page 2,
4 line 12.

KIRKENSLAGER of Des Moines

H-3719

- 1 Amend Senate File 93 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, line 24, by striking the word "section"
4 and inserting in lieu thereof the word "sections".
5 2. Page 2, by inserting after line 29 the
6 following:
7 "NEW SECTION. An optometrist who has dilated a
8 patient's eyes shall not dismiss the patient until
9 the optometrist has examined the patient and determined
10 that the patient's eyes have sufficiently returned
11 to their state before dilation to allow the patient
12 to travel safely. This section shall not apply if
13 the patient is escorted by another person."

JOHNSON of Woodbury

H-3723

- 1 Amend House File 727 as follows:
2 1. Page 5, by striking lines 26 and 27.

SPEAR of Lee

H-3725

- 1 Amend House File 720 as follows:
2 1. Page 2, by inserting after line 23 the

- 3 following:
- 4 NEW SUBSECTION. "Candidate" means a candidate
 5 as defined in section fifty-six point two (56.2) of
 6 the Code for a statewide office or the general
 7 assembly."
- 8 2. Page 2, line 34, by inserting after the word
 9 "contributions" the words "unless the contribution
 10 exceeds one thousand dollars for a candidate to a
 11 statewide office or three hundred dollars for a
 12 candidate for the general assembly".
- 13 3. Page 3, line 24, by inserting after the word
 14 ", employee," the word "candidate,".
- 15 4. Page 3, line 29, by inserting after the word
 16 "employee," the word "candidate,".
- 17 5. Page 4, line 4, by inserting after the word
 18 "assembly" the words ", candidate for the general
 19 assembly".
- 20 6. Page 4, line 9, by inserting after the word
 21 "official" the words ", candidate for statewide
 22 office".

HALVORSON of Webster

H-3726

- 1 Amend House File 732 as follows:
- 2 1. Page 1, by striking lines 2 through 27 and
 3 inserting in lieu thereof the words "(372.13),
 4 subsection two (2), Code 1979, is amended by striking
 5 the subsection and inserting in lieu thereof the
 6 following:
- 7 2. A vacancy in an elective city office during
 8 a term of office shall be filled, at the council's
 9 option, by one of the two following procedures:
- 10 a. By appointment by the remaining members of
 11 the council, except that if the remaining members
 12 do not constitute a quorum of the full membership,
 13 paragraph b of this subsection shall be followed.
 14 The appointment shall be for the period until the
 15 next pending election as defined in section sixty-
 16 nine point twelve (69.12) of the Code, and shall be
 17 made within thirty days after the vacancy occurs.
 18 If the council chooses to proceed under this paragraph,
 19 it shall publish notice in the manner prescribed by
 20 section three hundred sixty-two point three (362.3)
 21 of the Code, stating that the council intends to fill
 22 the vacancy by appointment but that the electors of
 23 the city or ward, as the case may be, have the right
 24 to file a petition requiring that the vacancy be
 25 filled by a special election. The council may publish
 26 notice in advance if a council member submits a
 27 resignation to take effect at a future date. The

28 council may make an appointment to fill the vacancy
 29 after the notice is published or after the vacancy
 30 occurs, whichever is later. However, if within
 31 fourteen days after publication of the notice there
 32 is filed with the city clerk a petition which requests
 33 a special election to fill the vacancy and which is
 34 signed by eligible electors who are (or would be,
 35 if registered) entitled to vote to fill the office
 36 in question, equal in number to two percent of those
 37 who voted for candidates for the office at the last
 38 preceding regular election at which the office was
 39 on the ballot, but not less than ten persons, an
 40 appointment to fill the vacancy is temporary and the
 41 council shall call a special election to fill the
 42 vacancy permanently, under paragraph b of this
 43 subsection.

44 b. By a special election held to fill the office
 45 for the remaining balance of the unexpired term, which
 46 may be held concurrently with a pending election as
 47 provided by section sixty-nine point twelve (69.12)
 48 of the Code if by so doing the vacancy will be filled
 49 not more than ninety days after it occurs and if the
 50 remaining members of the council constitute a quorum

Page 2

1 of the full membership. Otherwise, a special election
 2 to fill the office shall be called at the earliest
 3 practicable time after the council chooses to do so,
 4 or is required to do so under paragraph a of this
 5 subsection. A special election held under this
 6 subsection is subject to neither a primary nor run-
 7 off election, even if such an election is required
 8 when the office in question is filled at a regular
 9 city election, and the candidate receiving a plurality
 10 of the vote is elected."

SPEAR of Lee

H-3727

1 Amend Senate File 264 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 4, by inserting after line 30 the following
 4 new sections:

5 "Sec. 43. Section fifty-six point two (56.2),
 6 subsection one (1), Code 1979, is amended to read
 7 as follows:

8 1. "Candidate" means any individual who has taken
 9 done either of the following:

10 a. Taken affirmative action to seek nomination
 11 or election to a public office by filing with the

12 state commissioner or commissioner the appropriate
 13 documents under chapter forty-three (43), forty-four
 14 (44) or forty-five (45) of the Code, but shall exclude
 15 any judge standing for retention in a judicial
 16 election.

17 b. Has filed an affidavit of candidacy with the
 18 commission under section seven (7) of this Act.

19 Sec. 44. Section fifty-six point two (56.2), Code
 20 1979, is amended by adding the following new
 21 subsections:

22 NEW SUBSECTION. "Expenditure" means a disbursement
 23 or loan repayment which, if made by a candidate, is
 24 required to be reported under section fifty-six point
 25 six (56.6), subsection three (3), paragraphs g and
 26 h of the Code.

27 NEW SUBSECTION. "Statewide office" means the
 28 offices of governor, lieutenant governor, attorney
 29 general, secretary of state, treasurer of state,
 30 auditor of state and secretary of agriculture."

31 2. Page 5, by striking lines 20 and 21 and
 32 inserting in lieu thereof the words "is and the "Iowa
 33 candidates' fund" are separately created within the
 34 office of the treasurer of state.

35 1. The Iowa election campaign".

36 3. Page 6, by inserting after line 9 the follow-
 37 ing:

38 "2. There shall be paid into the Iowa candidates'
 39 fund from the general fund of the state on the first
 40 business day of each month an amount equal to the
 41 amount remitted by the director of revenue to the
 42 treasurer of state for deposit in the Iowa election
 43 campaign fund during the preceding month, or any
 44 greater amount required by an appropriation made by
 45 the general assembly for any fiscal period. Money
 46 in the Iowa candidates' fund shall be disbursed to
 47 candidates' committees which qualify under section
 48 four (4) of this Act. On January first of the year
 49 immediately succeeding a year in which the office
 50 of governor has been filled at the general election,

Page 2

1 money accumulated in the Iowa candidates' fund which
 2 has not been disbursed shall revert to the general
 3 fund of the state.

4 Sec. 47. Section fifty-six point twenty-three
 5 (56.23), Code 1979, is amended by striking the section
 6 and inserting in lieu thereof the following:

7 56.23 DISTRIBUTION OF FUNDS—ACCEPTABLE USES—
 8 AUDITS REQUIRED.

9 1. Before it may receive funds under authority
 10 of this chapter, a candidate's committee or statutory

11 political committee shall agree in writing to submit
12 to an audit of all expenditures of the committee.
13 The audit shall be made by an auditor of the
14 commission's choice and at the commission's expense.
15 A candidate's committee which has received funds under
16 authority of this chapter shall be prepared to be
17 audited pursuant to this section not later than thirty
18 days after the latest election occurring in a calendar
19 year in which that candidate's name appeared on the
20 ballot. Statutory political committees shall submit
21 to an audit once a year, at a time set by the
22 commission.

23 2. The commission shall promulgate rules setting
24 forth as specifically as is practicable what expenses
25 are to be considered acceptable campaign expenses
26 for the purposes of this chapter, and what
27 documentation will be required as evidence of an
28 expenditure constituting an acceptable campaign
29 expense. No funds shall be distributed under authority
30 of this chapter after the effective date of this Act
31 until the rules required by this subsection have been
32 promulgated.

33 3. If the audit required by this section shows
34 that the total amount of all expenditures by a
35 candidate's committee or a statutory political
36 committee for acceptable campaign expenses during
37 the period covered by the audit is less than twice
38 the amount of all money received by the committee
39 under authority of this chapter during the same period,
40 the committee shall return to the fund from which
41 the money originated an amount equal to half the
42 difference between twice the amount of all money so
43 received and the total amount of all expenditures
44 for acceptable campaign expenses."

45 4. Page 6, by inserting after line 21 the following
46 new sections:

47 "Sec. 49. Chapter fifty-six (56), Code 1979, is
48 amended by adding sections fifty (50) through fifty-
49 seven (57) of this Act.

50 Sec. 50. NEW SECTION. WHEN CONTRIBUTIONS DEEMED

Page 3

1 MADE. For the purposes of sections fifty-one (51)
2 through fifty-four (54) of this Act, any contribution
3 to a candidate's committee shall be considered to
4 have been made in the same calendar year in which
5 occurred the election to fill the office in question
6 for the term or partial term to which that candidate
7 sought nomination or election.

8 Sec. 51. NEW SECTION. QUALIFYING FOR MONEY FROM
9 CANDIDATES' FUND.

10 1. The candidate's committee for an individual
11 who is a candidate for nomination or election to a
12 statewide office or to the office of state senator
13 or state representative is entitled to receive money
14 from the Iowa candidates' fund, at the times and to
15 the extent provided by sections fifty-three (53) and
16 fifty-five (55) of this Act, upon filing with the
17 commission both:

18 a. A sworn statement signed by the candidate and
19 by the treasurer of the candidate's committee, agreeing
20 to be bound by the provisions of section fifty-two
21 (52) of this Act as a condition of receiving money
22 from the Iowa candidates' fund.

23 b. A report, prepared on a form prescribed by
24 the commission, showing that the committee has
25 qualifying contributions aggregating at least twenty
26 thousand dollars for a candidate for a statewide
27 office, seven hundred fifty dollars for a candidate
28 for state senator, or five hundred dollars for a
29 candidate for state representative.

30 2. Qualifying contributions are those received
31 by a candidate's committee from individuals in amounts
32 not exceeding, from any one committee or individual,
33 one hundred dollars to a candidate for governor, fifty
34 dollars to a candidate for a statewide office other
35 than governor, or twenty-five dollars to a candidate
36 for the general assembly, during the period beginning
37 on the date the individual for whose benefit the con-
38 tribution is made becomes a candidate and ending on
39 the day preceding the next succeeding general election.
40 Qualifying contributions must be reported to the
41 commission by the candidate's committee on forms
42 prescribed by the commission listing the name and
43 address of the contributor and the amount of the
44 contribution, and accompanied by either a signed de-
45 clarations by the contributor acknowledging the
46 contribution or a photocopy of the written instrument
47 by which the contribution was made that identifies
48 the contributor. This subsection does not prohibit
49 contributions in the amounts permitted by section
50 fifty-two (52), subsection two (2) of this Act, but

Page 4

1 the portion of the total contributions of a single
2 committee or individual to a candidate's committee
3 which exceeds the limits established in this subsection
4 shall not be reported as qualifying contributions
5 by that candidate's committee.

6 3. An individual who desires to become a candidate
7 for purposes of this section, at any time prior to
8 filing with the state commissioner the documents

9 necessary, to seek nomination or election under chapter
 10 forty-three (43), forty-four (44) or forty-five (45)
 11 of the Code, may do so by filing an affidavit of
 12 candidacy with the commission. The affidavit shall
 13 be filed on a form prescribed by the commission and
 14 shall contain:

- 15 a. The candidate's name.
- 16 b. The office the candidate seeks.
- 17 c. The candidate's political party affiliation,
- 18 if any.
- 19 d. A statement that the candidate has formed a
- 20 candidate's committee which will receive contributions
- 21 that will, to the extent permitted by subsection two
- 22 (2) of this section, be reported to the commission
- 23 as qualifying contributions.

24 **Sec. 52. NEW SECTION. CONDITIONS OF RECEIVING**
 25 **MONEY FROM CANDIDATES' FUND—EFFECT OF FAILURE TO**
 26 **COMPLY WITH CONDITIONS.**

27 A candidate for statewide office or for the general
 28 assembly who elects to receive money from the Iowa
 29 candidates' fund must, as a condition for receiving
 30 the money, observe the following limitations upon
 31 expenditures and acceptance of contributions.

32 1. The amount and rate of expenditures must be
 33 limited as follows:

34 a. During the period beginning when the individual
 35 officially becomes a candidate for purposes of this
 36 chapter and ending on the date of the next succeeding
 37 primary election:

38 (1) In the case of a candidate for governor, one
 39 hundred thousand dollars.

40 (2) In the case of a candidate for a statewide
 41 office other than governor, forty thousand dollars.

42 (3) In the case of a candidate for state senator,
 43 three thousand dollars.

44 (4) In the case of a candidate for state
 45 representative, two thousand dollars.

46 b. A candidate subject to this subsection shall
 47 not expend more than fifty percent of the maximum
 48 amount permitted by paragraph a of this subsection
 49 prior to April fifteenth of the year in which the
 50 primary election occurs.

Page 5

1 c. During the period beginning on the day following
 2 the primary election referred to in paragraph a of
 3 this subsection and ending on the date of the
 4 succeeding general election:

5 (1) In the case of a candidate for governor, two
 6 hundred fifty thousand dollars.

7 (2) In the case of a candidate for a statewide

8 office other than governor, one hundred thousand
9 dollars.

10 (3) In the case of a candidate for state senator,
11 seven thousand five hundred dollars.

12 (4) In the case of a candidate for state
13 representative, five thousand dollars.

14 d. A candidate subject to this subsection shall
15 not expend more than fifty percent of the maximum
16 amount permitted by paragraph c of this subsection
17 prior to September fifteenth of the year in which
18 the general election occurs.

19 2. The amount of contributions accepted must be
20 limited in accordance with the requirements of section
21 fifty-seven (57) of this Act.

22 3. If a candidate's committee which has qualified
23 under section fifty-one (51) of this Act and has
24 received money from the Iowa candidates' fund is
25 subsequently found to have failed to comply with any
26 applicable limitation in subsection one (1) or two
27 (2) of this section, the candidate's committee shall
28 forfeit to the commission an amount equal to twice
29 the amount of the expenditure made or contribution
30 accepted which exceeded the limitations in subsections
31 one (1) and two (2) of this section. All money so
32 forfeited shall be deposited in the Iowa candidates'
33 fund. A finding that a candidate's committee has
34 failed to comply with an applicable limitation in
35 subsection one (1) or two (2) of this section may
36 be appealed in accordance with the Iowa administrative
37 procedure Act. If the finding is not contested or
38 is upheld, the forfeiture prescribed by this subsection
39 is a legal obligation of the candidate's committee
40 and may be enforced by the commission by withholding
41 the amount of the forfeiture from any money due the
42 candidate's committee from the Iowa candidates' fund
43 or by civil process if necessary.

44 **Sec. 53. NEW SECTION. LIMITS ON CLAIMS—HOW PAID**
45 **AND USED.** Each candidate's committee which has
46 qualified under section fifty-one (51) of this Act
47 is entitled to receive from the Iowa candidates' fund
48 money in the amounts and subject to the limitations
49 prescribed by this section.

50 1. During the period beginning on December first

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1 next preceding the year of the primary and general
2 elections at which the office the candidate seeks
3 will be on the ballot, or on the date the candidate
4 officially becomes a candidate for the purposes of
5 this chapter, whichever is later, and ending on the
6 date of the primary election held in that year, a

7 qualified candidate's committee may claim money from
8 the Iowa candidates' fund in an amount equivalent
9 to the total amount of qualifying contributions it
10 has reported to the commission, up to a maximum of
11 one-half the amount of the expenditure limit for that
12 candidate's committee under section sixteen (16),
13 subsection one (1), paragraph a of this Act.

14 2. During the period beginning on the day after
15 the date of the primary election referred to in
16 subsection one (1) of this section and ending on the
17 day of the succeeding general election, a qualified
18 candidate's committee may claim money from the Iowa
19 candidates' fund in an amount equivalent to the total
20 amount of qualifying contributions it has reported
21 to the commission during that period, up to a maximum
22 of one-half the amount of the expenditure limit for
23 that candidate's committee under section fifty-two
24 (52), subsection one (1), paragraph c of the Act.

25 3. The initial report of qualifying contributions
26 made under section fifty-one (51) of this Act, and
27 a supplemental report of additional qualifying
28 contributions made to the commission by a candidate's
29 committee, except its final report, shall each claim
30 at least one hundred dollars matching money from the
31 Iowa candidates' fund. Matching money shall be paid,
32 in accordance with section eleven (11) of this Act,
33 by a warrant drawn by the state comptroller at the
34 commission's direction upon the fund in favor of the
35 treasurer of the candidate's committee. Matching
36 money from the fund shall be used only to pay, or
37 to repay loans lawfully obtained to pay, acceptable
38 campaign expenses as defined pursuant to section
39 fifty-six point twenty-three (56.23) of the Code which
40 were actually and lawfully incurred.

41 4. A qualified candidate's committee for a
42 candidate who withdraws or is defeated in a primary
43 election or other nominating procedure may nevertheless
44 receive the allowable maximum amount of matching money
45 from the Iowa candidates' fund, or so much thereof
46 as the committee's reported qualifying contributions
47 and the provisions of this section entitle it to
48 receive. Such a candidate's committee is not required
49 to return any money so received if it was used in
50 the manner required by subsection three (3) of this

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1 section.

2 Sec. 54. NEW SECTION. COMMITTEE MAY WITHDRAW
3 OR QUALIFY AFTER PRIMARY, OR AT OTHER TIMES.

4 1. A candidate's committee which has qualified
5 under section fifty-one (51) of this Act, has complied

6 with all applicable limitations of section fifty-two
7 (52), subsection one (1), paragraphs a and b, and
8 subsection two (2) of this Act, and has claimed and
9 received money from the Iowa candidates' fund under
10 section fifty-three (53), subsection one (1) of this
11 Act, may withdraw from its status as a qualified
12 candidate's committee by giving the commission notice
13 to that effect at any time after the primary election
14 and before claiming any money from the Iowa candi-
15 dates' fund under section fifty-three (53), subsection
16 two (2) of this Act.

17 2. A candidate's committee which has not previously
18 done so may qualify under section fifty-one (51) of
19 this Act after the date of the primary election, and
20 claim and receive money from the Iowa candidates'
21 fund under section fifty-three (53), subsection two
22 (2) of this Act, provided that between the date of
23 the primary election and the time it qualifies the
24 candidate's committee has not made any expenditures
25 nor accepted any contributions contrary to the
26 applicable limitations of section fifty-two (52),
27 subsection one (1), paragraphs c and d of this Act.

28 3. A candidate's committee which has qualified
29 under section fifty-one (51) of this Act and has
30 complied with all applicable limitations of section
31 fifty-two (52) of this Act may at any time withdraw
32 from its status as a qualified candidate's committee
33 by giving the commission notice in writing that it
34 has concluded that continued compliance with the
35 applicable limitations of section fifty-two (52) of
36 this Act would be unduly disadvantageous to its
37 candidate. The notice shall be accompanied by a
38 payment equal to:

39 a. The amount of all money claimed and received
40 under section fifty-three (53), subsection one (1)
41 of this Act if the candidate's committee's withdrawal
42 occurs before the date of the primary election.

43 b. The amount of all money claimed and received
44 under section fifty-three (53), subsection two (2)
45 of this Act if the candidate's committee's withdrawal
46 occurs on or after the date of the primary election.

47 4. Withdrawal of a candidate's committee from
48 its qualified status does not relieve that committee
49 of liability under section fifty-two (52), subsection
50 three (3) of this Act for any expenditures made or

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1 contributions accepted, during the time the sworn
2 statement filed under section fifty-one (51), sub-
3 section one (1), paragraph a of this Act was in force,
4 which were contrary to the applicable limitations

5 of section fifty-two (52), subsection two (2) of this
6 Act. However a candidate's committee shall not be
7 subject to a forfeiture under section fifty-two (52),
8 subsection three (3) of this Act on account of any
9 contribution received within ten days prior to the
10 date of the candidate's committee's withdrawal from
11 its qualified status, even if the contribution exceeds
12 the applicable limitations of section fifty-two (52),
13 subsection two (2) of this Act, provided each person
14 making such a contribution submits to the candidate's
15 committee a signed statement to the effect that the
16 contribution is intended to assist the candidate's
17 committee in complying with subsection three (3) of
18 this section. The candidate's committee shall file
19 a copy of each such signed statement it receives with
20 its notice of withdrawal from qualified status.

21 Sec. 55. NEW SECTION. CLAIMS PRORATED WHEN-
22 NECESSARY. If the commission at any time concludes
23 on the basis of the number of candidates which at
24 that time have claimed a portion of their allowable
25 maximum amount of matching money, and on the basis
26 of the remaining balance in the Iowa candidates' fund,
27 that it is unlikely that all claims on the fund can
28 be paid as would otherwise be required by section
29 fifty-three (53) of this Act, it shall prorate the
30 unpaid portion of the pending claims and all claims
31 subsequently received during the same biennial period.
32 The proration of the various unpaid portions of claims
33 and of subsequent claims shall be devised so that
34 as nearly as possible an equivalent proportion of
35 the full amount to which each claimant committee would
36 otherwise be entitled is actually paid. If the
37 commission does so prorate claims but finds that upon
38 the date of the succeeding general election an
39 unencumbered balance exist in the fund, that balance
40 shall be applied to the payment of all or equivalent
41 proportions of claims on the fund which were unpaid
42 due to proration during the preceding year.

43 Sec. 56. NEW SECTION. MATCHING MONEY FOR
44 CANDIDATES IN CERTAIN SPECIAL ELECTIONS. The
45 candidate's committee for each candidate certified
46 by the state commissioner as a nominee for a seat
47 in the general assembly to be filled at a special
48 election called under section sixty-nine point fourteen
49 (69.14) of the Code is entitled to receive the
50 allowable maximum amount of matching money upon

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1 qualifying pursuant to section fifty-one (51),
2 subsections one (1) and two (2), of this Act, ex-
3 cept that qualifying contributions must be received

4 by the day prior to the date of the special election.
 5 Claims may be presented to the commission under this
 6 section as soon as the candidates in the special
 7 election have been certified by the state commissioner,
 8 and the provisions of section fifty-two (52),
 9 subsection one (1), paragraph d. of this Act shall
 10 not apply. Matching money received by a candidate's
 11 committee under this section shall not apply against
 12 the allowable maximum amount of matching money
 13 available to the individual candidate involved for
 14 the period established by section fifty-two (52),
 15 subsection one (1), of this Act between successive
 16 general elections at which the office involved in
 17 the special election is filled for a full term.

18 **Sec. 57. NEW SECTION. MAXIMUM AMOUNT OF CERTAIN**
 19 **CAMPAIGN CONTRIBUTIONS.** A contributor shall not make
 20 contributions to one candidate in one calendar year
 21 exceeding the amounts specified in this section.

22 1. An individual contributor shall not make
 23 contributions to one candidate in excess of fifty
 24 dollars.

25 2. A committee, except a state statutory political
 26 committee, a county statutory political committee,
 27 or the candidate's own candidate's committee, shall
 28 not make contributions to one candidate in excess
 29 of one hundred dollars."

CONNOLLY of Dubuque
 COCHRAN of Webster
 HALVORSON of Webster

H-3731

1 Amend House File 667 as follows:

2 1. Page 1, by inserting after line 8 the
 3 following:

4 "Sec. . Section three hundred eighty-six point
 5 ~~three~~ (386.3), subsection nine (9), Code 1979, is
 6 amended to read as follows:

7 9. At any time prior to adoption of an ordinance
 8 establishing a district, the entire matter of
 9 establishing such district shall be withdrawn from
 10 council consideration if a petition objecting to
 11 establishing such district is filed with its clerk
 12 containing the signatures of at least forty percent
 13 of all owners of property within the proposed district
 14 or signatures which together represent ownership of
 15 property with an assessed value of forty percent or
 16 more of the assessed value of all property within the
 17 proposed district.

18 Sec. . Section three hundred eighty-six point

19 four (386.4), subsection four (4), Code 1979, is
 20 amended to read as follows:
 21 4. At any time prior to council amendment of the
 22 ordinance creating the district, the entire matter of
 23 amending such ordinance shall be withdrawn from council
 24 consideration if a petition objecting to amending such
 25 ordinance is filed with its clerk containing either the
 26 signatures of at least forty percent of all owners of
 27 property within the district and all property proposed
 28 to be included or signatures which together represent
 29 ownership of property with an assessed value of forty
 30 percent or more of the assessed value of all property
 31 within the district and all property proposed to be
 32 included."

PAVICH of Pottawattamie,

H-3735

1 Amend House File 727 as follows:
 2 1. Page 1, line 33, by striking the word and
 3 figure "two (2)."
 4 2. Page 1, by striking line 35.
 5 3. Page 2, by striking lines 1 through 17.

CONNORS of Polk
 DOYLE of Woodbury
 KIRKENSLAGER of Des Moines

H-3741

1 Amend amendment H-3726 to House File 732 as
 2 follows:
 3 1. Page 1, line 17, by striking the word
 4 "thirty" and inserting in lieu thereof the word
 5 "forty".

SPEAR of Lee

H-3743

1 Amend the Spear amendment H-3726 to page 1 of
 2 House File 732 as follows:
 3 1. Page 1, line 31, by inserting after the word
 4 "notice" the words "or after the appointment is made,
 5 whichever is later,".

HALL of Linn

H-3746

- 1 Amend amendment H-3735 to page 1 of House File
- 2 727 as follows:
- 3 1. Page 1, by striking lines two through five
- 4 and inserting in lieu thereof the following:
- 5 "1. Page 2, line 9 by striking the word "one"
- 6 and inserting in lieu thereof the word "one".
- 7 2. Page 2, by striking lines ten through seven-
- 8 teen and inserting in lieu thereof the following:
- 9 "bargaining unit units as established by the
- 10 public employment relations board for state employees."

CONNORS of Polk
 DOYLE of Woodbury
 KIRKENSLAGER of Des Moines

H-3749

- 1 Amend amendment H-3640 to page 3 of House File
- 2 720 as follows:
- 3 1. Page 1, line 6, by striking the word "gift"
- 4 and inserting in lieu thereof the word "benefit".

PELTON of Clinton

H-3750

- 1 Amend amendment H-3653 to page 2 of House
- 2 File 720 as follows:
- 3 1. Page 1, line 7, by striking the words "a
- 4 gift" and inserting in lieu thereof the words
- 5 "anything of value or benefit".

PELTON of Clinton

H-3751

- 1 Amend amendment H-3725 to page 2 of House
- 2 File 720 as follows:
- 3 1. Page 1, line 10, by striking the words "one
- 4 thousand" and inserting in lieu thereof the words
- 5 "five hundred".
- 6 2. Page 1, line 11, by striking the word "three"
- 7 and inserting in lieu thereof the word "one".

PELTON of Clinton

H-3752

- 1 Amend the amendment, H-3657, to Senate File 388,
- 2 as amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, lines 4 and 5, by striking the word
- 5 and figure "November 1" and inserting in lieu thereof
- 6 the word and figure "September 15".

JOHNSON of Linn

H-3754

- 1 Amend House File 646 as follows:
- 2 1. Page 1, line 10, by striking the word "budget".
- 3 2. Page 1, line 11, by striking the words "of
- 4 the county attorney" and inserting in lieu thereof
- 5 the words "court expense fund or the county general
- 6 fund, whichever is designated by the board of
- 7 supervisors".

COCHRAN of Webster

H-3757

- 1 Amend Senate File 373, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 22 the
- 4 following:
- 5 "Notwithstanding section ninety-six point eighteen
- 6 (96.18) of the Code, if the department cannot recover
- 7 an overpayment after two years from the last date
- 8 of the overpayment the unemployment compensation trust
- 9 fund shall be reimbursed an amount equal to the
- 10 overpayment from the general fund of this state."

MILLER of Buchanan

H-3759

- 1 Amend Senate File 446 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 26, the follow-
- 4 ing:
- 5 "Sec. . Chapter two hundred fifteen (215),
- 6 Code 1979, is amended by adding the following new
- 7 section:
- 8 NEW SECTION. INSPECTION OF GAS AND ELECTRIC METERS.
- 9 The department shall annually inspect one quarter
- 10 of one percent of all gas and electric meters in
- 11 operation in the state of Iowa. The department shall
- 12 charge the utility so supplying the gas or electricity,

- 13 or both, a reasonable fee for the inspection."
 14 2. By renumbering to conform to this amendment.

O'KANE of Woodbury

H-3760

- 1 Amend Senate File 426, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "corporation." the words "If an attorney, other than
 5 an attorney who is a salaried employee of the school
 6 corporation, is employed for collective bargaining
 7 services, the amount of compensation shall be the
 8 same as the amount authorized by the public employment
 9 relations board for the compensation of an arbitrator."

BYERLY of Polk

H-3762

- 1 Amend House File 646 as follows:
 2 1. Page 1, line 10, by striking the words "the
 3 budget" and inserting in lieu thereof "either the
 4 court expense fund or the county general fund at the
 5 supervisors' option."
 6 Page 1, line 11, by striking the words "of
 7 the county attorney."

RITSEMA of Sioux

H-3767

- 1 Amend House File 734 as follows:
 2 1. Page 11, by inserting after line 11 the
 3 following:
 4 "Sec. . Chapter one hundred ten B (110B),
 5 Code 1979, is amended by adding the following:
 6 **NEW SECTION.** There is appropriated annually from
 7 the general fund of the state an amount equal to
 8 the total revenue derived from the sale of the
 9 wildlife habitat stamps. Except as otherwise
 10 provided in this chapter, funds thus appropriated,
 11 along with the revenue from stamp sales, shall be
 12 used by the commission exclusively for acquisition,
 13 restoration, preservation, development or main-
 14 tenance of wetlands, including marshes, swamps,
 15 bogs, wet meadows, potholes, sloughs, river-overflow
 16 lands, and shallow lakes and ponds, together with
 17 adjacent lands suitable for wildlife habitat."
 18 2. By renumbering as necessary.

AVENSON of Fayette

H-3769

- 1 Amend the House Committee Amendment, H-3713, to
- 2 Senate File 373, as amended, passed, and reprinted
- 3 by the Senate, as follows:
- 4 1. Page 3, by striking lines 37 through 43 and
- 5 inserting in lieu thereof the following:
- 6 "15. Page 24, by striking lines 8 through 12."

KIRKENSLAGER of Des Moines

H-3771

- 1 Amend Senate File 373, as amended and passed by
- 2 the Senate, as follows:
- 3 1. Page 12, by inserting after line 26 the follow-
- 4 ing:
- 5 "Sec. . Section ninety-six point seven (96.7),
- 6 subsection three (3), paragraph d, Code 1979, is
- 7 amended by adding the following new unnumbered
- 8 paragraph after unnumbered paragraph four (4):
- 9 NEW UNNUMBERED PARAGRAPH. Notwithstanding any
- 10 other provision of this chapter, if an employer, who
- 11 employs individuals for construction as defined by
- 12 the department by rule and has fifty percent or more
- 13 of the employer's gross income derived from contracts
- 14 with the state or a political subdivision, has a
- 15 negative balance in the employer's account, then the
- 16 employer shall contribute an additional two percent
- 17 of taxable wages until the employer's negative balance
- 18 is removed and shall be subject to section thirty-
- 19 three (33) of this Act. For the purpose of this
- 20 paragraph, "negative balance" means the balance of
- 21 an employer's account in which the benefits charged
- 22 to an employer exceed the employer's contributions."
- 23 2. Renumber the sections and internal references
- 24 in conformance with this amendment.

MILLER of Buchanan

H-3776

- 1 Amend the House Committee amendment, H-3713, to
- 2 Senate File 373 as passed and reprinted by the
- 3 Senate to read as follows:
- 4 1. Page 2, line 4, by inserting after the word
- 5 "be" the word "totally".

CONNORS of Polk

H-3778

1 Amend Senate File 373, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 13, line 13, by inserting after the word
 4 "year." the following: "Notwithstanding any provision
 5 of section ninety-six point seven (96.7), subsection
 6 three (3) of the Code to the contrary, and beginning
 7 January 1, 1980, a contributing employer newly subject
 8 to this chapter shall not be required to pay
 9 contributions until the end of the calendar year in
 10 which the employer shall have had eight consecutive
 11 calendar quarters immediately preceding the computation
 12 date throughout which the employer's account has been
 13 chargeable with benefit payments, thereafter the
 14 employer's contribution rate shall be determined in
 15 accordance with the other provisions of section ninety-
 16 six point seven (96.7), subsection three (3) of the
 17 Code. Notwithstanding section ninety-six point
 18 eighteen (96.18) of the Code, the unemployment
 19 compensation trust fund shall be reimbursed out of
 20 the general fund of this state for the contributions
 21 which employers newly subject to this chapter would
 22 have been required to pay but for this paragraph."

BYERLY of Polk

H-3785

1 Amend the House Committee amendment, H-3713, to
 2 Senate File 373 as passed and reprinted by the
 3 Senate to read as follows:
 4 1. Page 1, line 14, by striking the words
 5 "~~fifty percent of~~" and inserting in lieu thereof
 6 the words "thirty-three percent of".
 7 2. Page 1, line 16, by striking the words
 8 "~~fifteen dollars~~" and inserting in lieu thereof the
 9 words "twenty dollars".

RAPP of Black Hawk

H-3803

1 Amend Senate File 373, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, line 32, by striking the words and
 4 figures "years 1978 and" and inserting in lieu there-
 5 of the words and figures "years 1978 and year".
 6 2. Page 13, line 6, by striking the word "four"

7 and inserting in lieu thereof the words "four
8 three".

AVENSON of Fayette

H-3804

1 Amend the Avenson amendment, H-3775, to Senate
2 File 373, as amended, passed, and reprinted by the
3 Senate, as follows:

4 1. Page 2, by striking lines 26 through 30 and
5 inserting in lieu thereof the following:

6 "Sec. 4. Section ninety-six point five (96.5),
7 subsection two (2), paragraphs a and b, Code 1979,
8 are amended to read as follows:

9 a. He or she The individual shall forfeit one
10 to ~~nine~~ seven weeks benefits for simple misconduct.
11 Simple misconduct may include but is not limited to
12 the following types of offenses: tardiness,
13 absenteeism, use of profanity, loafing,
14 insubordination, violation of a known company rule,
15 failure to follow instructions, and unsatisfactory
16 performance of duties.

17 b. The individual shall forfeit eight to fourteen
18 weeks benefits for serious misconduct. Serious
19 misconduct may include but is not limited to the
20 following types of offenses: intoxication, chargeable
21 accident, serious damage to property, fighting on
22 the premises, insubordination, and falsification on
23 the application of hire.

24 In lieu of the fourteen weeks forfeiture of benefits
25 the department may require the individuals, after
26 being disqualified for benefits under this paragraph,
27 to requalify for benefits.

28 b c. Provided further, if gross misconduct is
29 established, he or she the individual shall forfeit
30 from ten fourteen weeks benefits to the maximum amount
31 payable in his or her the individual's current benefit
32 period. The individual shall also forfeit the wage
33 credits attributable to the employer from which the
34 individual was discharged. The department may also
35 require the individual to requalify for benefits."

AVENSON of Fayette

H-3814

1 Amend the Kirkenslager amendment, H-3641, to Senate
2 File 373, as amended, passed, and reprinted by the
3 Senate, as follows:

4 1. By striking lines 2 through 27 and inserting

5 in lieu thereof the following:

6 1. By striking page 1, line 1 through page 2, line 1.

MILLER of Buchanan

H-3815

1 Amend House File 681 as follows:

2 1. Page 1, line 11, by striking the words "may
3 be" and inserting in lieu thereof the words "have
4 been".

5 2. Page 1, line 14, by inserting after the word
6 "Act" the words "or an area which is part of a district
7 on the date the city extends to that area the powers
8 granted under chapter four hundred fourteen (414)
9 of the Code".

SPEAR of Lee

H-3816

1 Amend Senate File 278 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 3, line 8 by striking the word "less"
4 and inserting in lieu thereof the word "less more".

WOODS of Polk
SCHROEDER of Pottawattamie

H-3817

1 Amend House File 688 as follows:

2 1. Page 1, by striking lines 7 through 10.

3 2. Page 1, by striking lines 20 through 25.

4 3. Amend the title, lines 1 and 2 by striking
5 the words "of the commission and the appointment
6 of a director".

WELDEN of Hardin
COCHRAN of Webster

H-3818

1 Amend House File 681 as follows:

2 1. Page 1, by striking lines 4 through 15 and
3 inserting in lieu thereof the following:

4 "NEW SECTION. The provisions of sections three
5 hundred three point twenty (303.20) to three hundred
6 three point thirty-three (303.33) of the Code do not
7 apply within the limits of a city. However, in order
8 for a city to designate an area which is deemed to
9 merit preservation as an area of historical

10 significance, the following shall apply:

11 1. An area of historical significance shall be
12 proposed by the governing body of the city on its
13 own motion or upon the receipt by the governing body
14 of a petition signed by residents of the city. The
15 city shall submit a description of the proposed area
16 of historical significance or the petition describing
17 the proposed area, if the proposed area is a result
18 of the receipt of a petition, to the division of
19 historical preservation of the Iowa state historical
20 department which shall determine if the proposed area
21 meets the criteria provided in subsection two (2)
22 of this section and may make recommendations concerning
23 the proposed area. Any recommendations made by the
24 division of historical preservation shall be made
25 available by the city to the public for viewing during
26 normal working hours at a city government place of
27 public access.

28 2. A city shall not designate an area as an area
29 of historical significance unless it contains
30 contiguous pieces of property under diverse ownership
31 which meets the criteria specified in section three
32 hundred three point twenty (303.20), subsection one
33 (1), paragraphs a through f, of the Code.

34 3. A city may provide by ordinance for the
35 establishment of a commission to deal with matters
36 involving areas of historical significance but shall
37 provide by ordinance for such commission upon the
38 enactment of the ordinance designating an area as
39 an area of historical significance as required in
40 subsection four (4) of this section. Upon the
41 establishment of the commission the city shall provide
42 by ordinance for the method of appointment, the number,
43 and terms, of members of the commission and for the
44 duties and powers of the commission. The commission
45 shall contain not less than three members. The members
46 of the commission shall be appointed with due regard
47 to proper representation of residents and property
48 owners of the city and their relevant fields of
49 knowledge including but not limited to history, urban
50 planning, architecture, archeology, law, and sociology.

Page 2

1 The commission shall have the power to approve or
2 deny applications for proposed alterations to exterior
3 features within an area designated as an area of
4 historical significance. An aggrieved party may
5 appeal the commission's action to the governing body
6 of the city. If not satisfied by the decision of
7 the governing body, the party may appeal within sixty
8 days of the governing body's decision to the district

9 court for the county in which the designated area
 10 is located. On appeal the governing body or the
 11 district court as the case may be shall consider
 12 whether the commission has exercised its powers and
 13 followed the guidelines established by the law and
 14 ordinance, and whether the commission's action was
 15 patently arbitrary or capricious.

16 4. An area shall only be designated an area of
 17 historical significance upon enactment of an ordinance
 18 of the city. Before such an ordinance is enacted
 19 or an amendment thereto, the governing body of the
 20 city shall submit such ordinance or amendment to the
 21 division of historical preservation of the Iowa state
 22 historical department for its review and
 23 recommendations."

24 2. Page 1, line 33, by inserting after the word
 25 "districts" the words "but only as provided in section
 26 one (1) of this Act".

27 3. Page 2, by striking lines 6 and 7.

POPE of Polk
 CONNOLLY of Dubuque
 LLOYD-JONES of Johnson
 PAVICH of Pottawattamie
 GROTH of Buena Vista

H—3819

1 Amend House File 560 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting in lieu thereof the following:

4 "DIVISION I

5 Section 1. Chapter six hundred eleven (611), Code
 6 1979, is amended by adding the following new section:

7 NEW SECTION. DEFINITIONS. As used in sections
 8 two (2), three (3), four (4), five (5), and seven
 9 (7) of this Act:

10 1. "Products liability action" means an action
 11 or claim against a manufacturer or seller of a product
 12 or an employee of a manufacturer or seller for or
 13 on account of personal injury, death, or property
 14 damage caused by or resulting from the use or
 15 consumption of the product. The term encompasses
 16 every claim of liability recognized by law which may
 17 arise out of acts and processes involved in or relating
 18 to the creation and distribution of a product,
 19 including but not limited to the acts and processes
 20 of design, formulation, preparation, manufacture,
 21 construction, assembly, testing, packaging, labeling,
 22 distribution and installation of a product, and the
 23 issuance of warnings and directions respecting the
 24 use, misuse, intended and unintended use of a product,

25 and the incorporation into a product of protection
 26 against dangers and hazards of the product.
 27 2. With respect to a product, "defect" means an
 28 imperfection which is sufficient to sustain a products
 29 liability action, irrespective of the substantive
 30 legal theory upon which the action is based.
 31 Sec. 2. Section six hundred fourteen point one
 32 (614.1), Code 1979, is amended by adding the following
 33 new subsection:

34 NEW SUBSECTION. PRODUCTS LIABILITY. Those products
 35 liability actions as defined in section one (1) of
 36 this Act which are based upon the theories of strict
 37 liability or implied warranty, within two years of
 38 discovery of the injury or damage, but in no event
 39 more than eight years after the product was first
 40 purchased or installed for use or consumption.

41 Sec. 3. Chapter six hundred nineteen (619), Code
 42 1979, is amended by adding the following new sections:

43 NEW SECTION. PRODUCTS LIABILITY – DUTIES LIMITED.

44 A duty to warn of a hazard which may arise in the
 45 use of a product shall be considered only in those
 46 products liability actions as defined in section one
 47 (1) of this Act which are based on negligence.

48 NEW SECTION. DISTRIBUTOR LIABILITY LIMITED. A

49 products liability action as defined in section one
 50 (1) of this Act which is based upon the theories of

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1 strict liability or implied warranty shall not be
 2 commenced or maintained against a wholesaler,
 3 distributor, retailer, repairer, bailee or lessor
 4 of a product, or an employee of any of these, or
 5 against any other person who distributes and sells
 6 a product, and none of these persons shall be liable
 7 to a person for damages arising from a products
 8 liability action based upon the theories of strict
 9 liability or implied warranty, if the defect which
 10 is alleged to establish liability resulted from the
 11 acts or processes which were involved in or related
 12 to the original design or the original manufacture
 13 of the product and which occurred prior to the time
 14 the product left the control of the manufacturer.

15 NEW SECTION. PRODUCTS LIABILITY – CONTRIBUTORY
 16 FAULT.

17 1. As used in this section:

18 a. "Action" means a products liability action
 19 as defined in section one (1) of this Act which is
 20 based upon the theories of strict liability or implied
 21 warranty. This section does not apply to any other
 22 action or claim.

23 b. "Fault" means an act or omission which subjects

24 a person to liability under the theory of strict
 25 liability in tort or which subjects a person to
 26 liability under the theory of implied warranty.
 27 "Contributory fault" means an act or omission which
 28 is in any measure negligent, reckless or intentional
 29 with respect to the person or property of the actor,
 30 including but not limited to unreasonable assumption
 31 of risk not constituting an express consent, misuse
 32 of a product, and unreasonable failure to avoid an
 33 injury or to mitigate damages. Legal requirements
 34 of causal relation apply both to fault as the basis
 35 for liability and to contributory fault.

36 2. Contributory fault does not bar recovery in
 37 an action by a person or the person's legal
 38 representative. Where contributory fault exists,
 39 the damages allowed shall be diminished in proportion
 40 to the percentage of fault attributable to the person
 41 recovering. The court may, and when requested by
 42 a party shall, direct the jury to find separate special
 43 verdicts determining the amount of damages and the
 44 percentage of fault attributable to each party; and
 45 the court shall then reduce the amount of damages
 46 in proportion to the percentage of fault attributable
 47 to the person recovering.

48 3. When two or more persons are jointly liable
 49 in an action, contributions to awards shall be in
 50 proportion to the percentage of fault attributable

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1 to each, except that each is jointly and severally
 2 liable for the whole award.

3 Sec. 4. Chapter six hundred twenty-two (622),
 4 Code 1979, is amended by adding the following new
 5 section:

6 NEW SECTION. PRODUCTS LIABILITY – EVIDENCE OF
 7 COLLATERAL BENEFITS. In a products liability action
 8 as defined in section one (1) of this Act which is
 9 based on strict liability or implied warranty, evidence
 10 of the nature and extent of benefits or services
 11 received or to be received by the party for whose
 12 behalf the action is brought and occasioned by the
 13 losses which are the subject matter of the action
 14 is admissible. If the action is for wrongful death,
 15 evidence of the remarriage of a surviving spouse is
 16 admissible. Evidence referred to in this section
 17 shall be weighed by the trier of fact in determining
 18 the amount of damages to be awarded.

DIVISION II

19 Sec. 5. NEW SECTION. MANDATORY PROVISIONS –
 20 PRODUCTS LIABILITY INSURANCE. A company issuing an
 21 insurance policy insuring against liability incurred
 22

23 in products liability actions as defined in section
24 one (1) of this Act shall be deemed as a condition
25 of exercising the privilege of transacting that
26 business in this state to have agreed that the policy
27 shall not be canceled, and that the issuer shall not
28 refuse to renew the policy on any grounds other than
29 nonpayment of premium, unless the issuer gives written
30 notice of the intended cancellation or nonrenewal
31 not less than ninety days prior to the date upon which
32 the policy shall be canceled or expires,
33 notwithstanding any provision of the policy to the
34 contrary.

35 A company issuing an insurance policy insuring
36 against liability incurred in products liability
37 actions as defined in section one (1) of this Act
38 shall be deemed as a condition of exercising the
39 privilege of transacting that business in this state
40 to have agreed that the products liability coverage
41 provided by the policy shall be renewable at the same
42 or lesser rates, unless the insurer gives written
43 notice to the insured not less than ninety days prior
44 to the renewal date of the policy of the rates for
45 products liability coverage which will become effective
46 upon a renewal of the policy, notwithstanding any
47 provision of the policy to the contrary.

48 Sec. 6. Chapter five hundred fifteen (515), Code
49 1979 is amended by adding the following new section:
50 NEW SECTION. PRODUCTS LIABILITY REPORTING.

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- 1 1. An insurer authorized to transact business
- 2 in this state and providing products liability
- 3 insurance shall file with the commissioner of insurance
- 4 by May first of 1980 and of each year thereafter a
- 5 report containing all of the following information:
- 6 a. The name of the reporting company, and the
- 7 name of every other company associated with the
- 8 reporting company as either a holding company, parent,
- 9 subsidiary, or division, or through interlocking
- 10 directorates which has during the reporting year
- 11 written products liability insurance in this state
- 12 under the provisions of section five hundred fifteen
- 13 point one hundred forty-seven (515.147) of the Code.
- 14 b. For products liability insurance policies
- 15 written in this state in the previous calendar year,
- 16 the amounts of each of the following:
- 17 (1) Premiums written.
- 18 (2) Premiums earned.
- 19 (3) Claims paid.
- 20 (4) Reserves for unpaid claims.
- 21 c. For products liability insurance policies

22 written in this state in each of the five years
 23 preceding the previous calendar year, the number and
 24 total amount of reserves maintained at the end of
 25 the previous calendar year for unpaid claims. The
 26 first year for which the information required by this
 27 paragraph shall be reported is 1979.

28 d. The amounts attributable to products liability
 29 insurance written in this state in the previous
 30 calendar year for each of the following:

31 (1) Reserves for claims incurred but not reported
 32 at the end of the calendar year.

33 (2) Loss adjustment expenses paid.

34 (3) Loss adjustment expenses incurred and unpaid.

35 (4) Expenses incurred, other than loss and loss
 36 adjustment expenses.

37 (5) Net investment gain or loss and other income.

38 (6) Net income before income taxes.

39 e. The commissioner of insurance shall prescribe
 40 by administrative rule the form and methods for reports
 41 required by this subsection.

42 2. An insurer authorized to transact business
 43 in this state and providing products liability
 44 insurance shall file with the commissioner of insurance
 45 the information which is required under rules
 46 promulgated by the commissioner of insurance to enable
 47 the commissioner of insurance to prepare a study of
 48 products liability claims which are closed during
 49 a period beginning sixty days after the effective
 50 date of the rules and ending not more than three years

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1 after the beginning of the period. The study shall
 2 be for the purpose of indicating the kinds of risks
 3 against which claims are made; the nature of the
 4 claims; whether payment is made on the claims and,
 5 if so, the amounts claimed and paid; whether claims
 6 are settled without suit, with suit or after appeal;
 7 the times from occurrence to reporting and to closing
 8 and other information which may be required by the
 9 commissioner of insurance to prepare reports which
 10 will enable the general assembly and the public to
 11 assess the products liability situation in this state.
 12 Reports required under this paragraph shall not be
 13 required to identify persons who make claims or against
 14 whom claims are made and the reports prepared by the
 15 commissioner of insurance shall not be prepared in
 16 a way to permit identification of individual claims.

17 Sec. 7. Section five hundred nineteen point one
 18 (519.1), Code 1979, is amended to read as follows:

19 519.1 AUTHORIZATION.

20 1. Any number of physicians and surgeons,

21 osteopaths, osteopathic physicians and surgeons,
22 podiatrists, chiropractors, pharmacists, dentists,
23 and graduate nurses, licensed to practice their
24 profession in this state, and hospitals licensed under
25 chapter 135B, may, by complying with the provisions
26 of this chapter and without regard to other statutory
27 provisions, enter into contracts with each other for
28 the purpose of protecting themselves by insurance
29 against loss by reason of actions at law on account
30 of their alleged error, mistake, negligence, or
31 carelessness in the treatment and care of patients,
32 including the performance of surgical operations,
33 or in the prescribing and dispensing of drugs and
34 medicines, or for loss by reason of damages in other
35 respects, and to reimburse any member in case of such
36 loss.

37 2. Manufacturers, wholesalers, distributors,
38 retailers, repairers, bailees, lessors, and other
39 parties in the chain of manufacture or distribution
40 of products may, by complying with the provisions
41 of this chapter and without regard to other statutory
42 provisions, enter into contracts with each other for
43 the purpose of protecting themselves by insurance
44 against loss by reason of products liability actions
45 as defined in section one (1) of this Act and for
46 the purpose of reimbursing members in case of loss.

47 Sec. 8. Section five hundred nineteen point five
48 (519.5), Code 1979, is amended to read as follows:

49 519.5 CONDITIONS. No such certificate shall be
50 issued by the commissioner of insurance until two

Page 6

1 hundred fifty individual applications or ten or more
2 applications from a hospital group, or twenty-five
3 or more applications from those parties in the chain
4 of manufacture or distribution of products as listed
5 in section five hundred nineteen point one (519.1),
6 subsection two (2) of the Code, have been received,
7 and until the commissioner of insurance has satisfied
8 himself that such mutual insurance corporation has
9 bona fide applications representing the number of
10 applicants required, and that there is in the
11 possession of such mutual insurance corporation cash
12 assets amounting to not less than ten times the maximum
13 single retained risk.

14 Sec. 9. Section five hundred nineteen point twelve
15 (519.12), Code 1979, is amended to read as follows:

16 519.12 FOREIGN COMPANIES. Any mutual insurance
17 association organized under the laws of any other
18 state, for the purpose of transacting the kind of
19 business described in this chapter, and which has

20 on hand surplus amounting to not less than ten times
 21 the maximum single retained risk, and has not less
 22 than two hundred fifty individual members, or not
 23 less than twenty-five members of those parties in
 24 the chain of manufacture or distribution of products
 25 as listed in section five hundred nineteen point one
 26 (519.1), subsection two (2) of the Code, may upon
 27 application, be admitted to do business in this state
 28 if the commissioner finds such admission is in the
 29 public interest; and shall thereafter make all reports
 30 and be subject to taxation, examination, and
 31 supervision by the commissioner of insurance to the
 32 same extent and in the same manner as are domestic
 33 corporations organized under the provisions of this
 34 chapter.

35 Sec. 10. Sections one (1), six (6), seven (7),
 36 eight (8) and nine (9) of this Act take effect July
 37 1, 1979.

38 Sections two (2), three (3) and four (4) of this
 39 Act take effect January 1, 1980, and apply to actions
 40 which are commenced on or after that date.

41 Section five (5) of this Act takes effect January
 42 1, 1980, and applies to policies of insurance which
 43 are issued for delivery, delivered or renewed on or
 44 after that date."

45 2. Amend the title by striking lines 1 through
 46 19 and inserting in lieu thereof the following: "An
 47 Act relating to claims and actions arising in
 48 connection with the laws of products liability."

HIBBS of Johnson
 DIELEMAN of Marion
 HARBOR of Mills
 BRANSTAD of Winnebago
 DANKER of Pottawattamie
 JOHNSON of Linn
 TYRRELL of Iowa

SCHROEDER of Pottawattamie
 DE GROOT of Lyon
 HOLT of Clay
 DIEMER of Black Hawk
 PELLETT of Cass
 LAGESCHULTE of Bremer

H-3820

1 Amend House File 688 as follows:

2 1. Page 1, line 19, by inserting after the period
 3 the following: "Each member shall, as part of his or
 4 her responsibilities, spend at least one day every two
 5 months studying commission programs in depth. The time
 6 spent in study shall include observing and participating
 7 in orientation and adjustment training, reading case
 8 files, talking to field operations staff, examining
 9 budgetary matters, and talking to the director and
 10 assistant directors concerning the operation of the
 11 commission for the blind."

H-3822

1 Amend Senate File 361 as follows:

2 1. Page 1, line 2, by striking the word
3 "subsection" and inserting in lieu thereof the words
4 and figures "subsections one (1), three (3) and".

5 2. Page 1, line 3, by striking the word "is" and
6 inserting in lieu thereof the word "are".

7 3. Page 1, by inserting after line 3 the following:

8 "1. ~~One-third~~ One-half in value of all the legal
9 or equitable estates in real property possessed by
10 the decedent at any time during the marriage, which
11 have not been sold on execution or other judicial
12 sale, and to which the surviving spouse has made no
13 relinquishment of his or her right.

14 3. ~~One-third~~ One-half of all other personal
15 property of the decedent which is not necessary for
16 the payment of debts and charges."

17 4. Page 1, line 6, by striking the word "fifty"
18 and inserting in lieu thereof the words "one hundred".

19 5. Page 1, line 12, by striking the word "fifty"
20 and inserting in lieu thereof the words "one hundred".

21 6. Page 1, by inserting after line 13 the
22 following:

23 "Sec. . Section six hundred thirty-three point
24 two hundred eleven (633.211), Code 1979, is amended
25 by adding the following new subsection:

26 NEW SUBSECTION. So much additional of the remaining
27 real and personal property belonging to the decedent
28 as is necessary to make the entire share of the
29 surviving spouse, including the property received
30 under subsections one (1), three (3) and four (4)
31 of this section, equal in value to the aforesaid sum
32 of one hundred thousand dollars plus one-half of the
33 net value of the estate over and above the said sum
34 of one hundred thousand dollars and the value of the
35 exempt personal property."

36 7. Page 1, line 15, by striking the words and
37 figure "Code 1979, is" and inserting in lieu thereof
38 the words and figures "subsections one (1) and three
39 (3), Code 1979, are".

40 8. Page 1, by striking lines 16 through 19.

41 9. Page 1, line 20, by striking the words "One-
42 half in value of all" and inserting in lieu thereof
43 the words "in value of all All".

44 10. Page 1, by striking line 25 through page 2,
45 line 14, and inserting in lieu thereof the following:

46 "3. ~~One-third~~ of all All other personal property
47 of the decedent which is not necessary for the payment
48 of debts and charges.

49 Sec. . Section six hundred thirty-three point
50 two hundred twelve (633.212), Code 1979, is amended

Page 2

- 1 by striking subsections four (4) and five (5).
 2 Sec. 5. This Act is effective January first
 3 following its enactment for the estates of decedents
 4 dying intestate on or after the effective date of
 5 this Act."
 6 11. By numbering and renumbering as required by
 7 this Act.

CONLON of Muscatine

H—3823

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 7, by inserting after the word ,
 3 "appoint" the following: "from a list of three
 4 nominees supplied by the commission,"
 5 2. Page 1, by inserting after line 10 the
 6 following:
 7 "Before appointing the director, the governor
 8 shall publish the names and qualifications of all
 9 persons being considered for the appointment. The
 10 prospective appointees shall appear at a public
 11 hearing, at which time there will be opportunity for
 12 public questioning of each individual."
 13 3. Page 1, by striking line 26 through page 2
 14 line 10.

SMALLEY of Polk

H—3834

- 1 Amend the Committee on Human Resources amendment
 2 H—3673 to Senate File 432 as amended, passed and re-
 3 printed by the Senate, as follows:
 4 1. Page 1, by striking lines 14 and 15 and insert-
 5 ing in lieu thereof the words "foster care for a total
 6 of not more than twenty days in one calendar year,".

MILLER of Buchanan
MULLINS of Kossuth

H—3835

- 1 Amend Senate File 432 as amended, passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 3, by striking line 6 and renumbering the
 4 succeeding subparagraphs accordingly.

MILLER of Buchanan

H-3836

- 1 Amend amendment H-3738 to Senate File 264 as
- 2 follows:
- 3 1. Page 25, line 39, by striking the word
- 4 "twenty-five" and inserting in lieu thereof the
- 5 word "ten".

SPEAR of Lee

H-3837

- 1 Amend amendment H-3738 to Senate File 264 as
- 2 follows:
- 3 1. Page 21, line 31, by striking the word
- 4 "twenty-five" and inserting in lieu thereof the
- 5 word "ten".

SPEAR of Lee

H-3838

- 1 Amend amendment H-3738 to Senate File 264 as
- 2 follows:
- 3 1. Page 21, by striking lines 35 through 37
- 4 and inserting in lieu thereof the word "subsection."
- 5 2. Page 23, by striking lines 9 through 11
- 6 and inserting in lieu thereof the words "of this
- 7 section."
- 8 3. Page 25, by striking lines 43 through 45
- 9 and inserting in lieu thereof the word "subsection."

SPEAR of Lee

H-3839

- 1 Amend amendment H-3738 to Senate File 264 as
- 2 follows:
- 3 1. Page 21, line 14, by striking the word
- 4 "thirty" and inserting in lieu thereof the word
- 5 "forty".
- 6 2. Page 22, line 38, by striking the word
- 7 "thirty" and inserting in lieu thereof the word
- 8 "forty".
- 9 3. Page 25, line 21, by striking the word
- 10 "thirty" and inserting in lieu thereof the word
- 11 "forty".

SPEAR of Lee

H—3840

- 1 Amend Senate File 286 as amended, passed and
 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 7, by inserting after the word
 4 "landowner" the words "or a person serving in a
 5 fiduciary capacity in the landowner's behalf".
- 6 2. Page 1, line 11, by inserting after the word
 7 "landowner" the words "or such fiduciary".
- 8 3. Page 1, line 11, by striking the words "both
 9 orally and".
- 10 4. Page 1, line 13, by striking the period "."
 11 following the word "landowner" and inserting "or such
 12 fiduciary."
- 13 5. Page 1, line 14, by inserting after the word
 14 "landowner" the words "or a person serving in a
 15 fiduciary capacity in the landowner's behalf".
- 16 6. Page 1, line 20, by inserting after the word
 17 "landowner" the words "or a person serving in a
 18 fiduciary capacity in the landowner's behalf".
- 19 7. Page 1, line 27, by inserting after the word
 20 "landowner" the words "or a person serving in a
 21 fiduciary capacity in the landowner's behalf".
- 22 8. Page 1, line 31, by inserting after the word
 23 "landowner" the words "or such fiduciary".
- 24 9. Page 1, line 31, by striking the words "both
 25 orally and".
- 26 10. Page 1, line 33, by striking the period "."
 27 following the word "landowner" and inserting "or such
 28 fiduciary."
- 29 11. Page 1, line 34, by inserting after the word
 30 "landowner" the words "or a person serving in a
 31 fiduciary capacity in the landowner's behalf".
- 32 12. Page 2, line 5, by inserting after the word
 33 "landowner" the words "or a person serving in a
 34 fiduciary capacity in the landowner's behalf".

BENNETT of Ida

H—3841

- 1 Amend House File 560 as follows:
- 2 1. Page 1, by striking lines 22 through 24.
- 3 2. By striking page 2, line 4 through page 8,
 4 line 19.
- 5 3. By striking page 8, line 31 through page 10,
 6 line 21.
- 7 4. Page 10, line 30, by striking the word "ninety"
 8 and inserting in lieu thereof the word "thirty".
- 9 5. Page 11, line 4, by striking the word "ninety"
 10 and inserting in lieu thereof the word "thirty".
- 11 6. Page 11, by striking lines 20 and 21, and

- 12 inserting in lieu thereof the words "shall file, at
 13 the request of the commissioner of insurance, an
 14 annual report for any of the".
 15 7. Page 11, line 23, by striking the word "shall"
 16 and inserting in lieu thereof the word "may".
 17 8. Page 14, line 4, by striking the word "ten"
 18 and inserting in lieu thereof the words "ten twenty".
 19 9. Page 14, line 11, by striking the word "ten"
 20 and inserting in lieu thereof the words "ten twenty".

TYRRELL of Iowa

H-3842

- 1 Amend House File 688 as follows:
 2 1. Page 1, by striking lines 26 through 35.
 3 2. Page 2, by striking lines 1 through 10.

HIBBS of Johnson

H-3843

- 1 Amend amendment H-3738 to Senate File 264 as
 2 follows:
 3 1. Page 21, line 23, by striking the word
 4 "ten" and inserting in lieu thereof the word
 5 "fourteen".
 6 2. Page 22, line 47, by striking the word
 7 "ten" and inserting in lieu thereof the word
 8 "fourteen".
 9 3. Page 25, line 31, by striking the word
 10 "ten" and inserting in lieu thereof the word
 11 "fourteen".

SPEAR of Lee

H-3845

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 6 by adding after the word
 3 "senate." the words: "In considering the names of
 4 possible appointees, the governor shall consult with
 5 blind consumer groups."

PERKINS of Greene

H-3846

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 25, by inserting after the word
 3 "determine." the following: "Upon written request by

- 4 an organization of blind persons for information on a
 5 statement of policy, the commission shall respond in
 6 writing and/or in person to the request."

PERKINS of Greene

H-3847

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "senate." the following: "Any member of the commission
 4 must demonstrate knowledge and understanding of the
 5 needs of blind persons and the existing programs to
 6 serve the blind."

PERKINS of Greene

H-3848

- 1 Amend House File 560 as follows:
 2 1. Page 13, line 16, by inserting after the word
 3 "loss" the following: "; provided that the contracts
 4 which are authorized by this subsection shall be
 5 negotiated in the presence of an insurance agent
 6 licensed under the laws of this state".
 7 2. Page 13, line 25, by inserting after the word
 8 "loss" the following: "; provided that the contracts
 9 which are authorized by this subsection shall be
 10 negotiated in the presence of an insurance agent
 11 licensed under the laws of this state".

TYRRELL of Iowa

H-3852

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 14, by inserting after the word
 3 "commission" the words "selected from a list of per-
 4 sons provided by the members of the commission".

GETTINGS of Wapello

H-3853

- 1 Amend House File 688 as follows:
 2 1. Page 1, line 16, by inserting after the word
 3 "first." the words "The governor shall consult with
 4 the director of the commission on the appointment of
 5 commission members."

GETTINGS of Wapello

H-3854

1 Amend House File 688 as follows:

2 1. Page 1, by striking lines 2 through 10 and
3 inserting in lieu thereof the words and figure "Code
4 1979, is amended by striking the section and inserting
5 in lieu thereof the following:

6 601B.1 COMMISSION MEMBERSHIP - DIRECTOR.

7 1. The Iowa commission for the blind is hereby
8 created, consisting of five members appointed by the
9 governor with the approval of two-thirds of the members
10 of the senate.

11 2. The principal executive administrator of the
12 commission is the director, who is appointed by the
13 governor with the advice of the commission and the
14 approval of two-thirds of the members of the senate.
15 The director serves at the pleasure of the governor,
16 but the commission may at any time advise the governor
17 that in the opinion of a majority of its members the
18 director should be retained or discharged. The
19 director shall be selected on the basis of professional
20 qualifications and experience, and administrative
21 ability. In selecting the director no consideration
22 shall be given to political affiliation, and the
23 director shall not engage in political activity during
24 working hours while holding that office. When it
25 is necessary to appoint a director, the governor shall
26 consult with the commission regarding the
27 qualifications for the position which the commission
28 deems important at that time. After suitably narrowing
29 the field of potential appointees, the governor shall
30 obtain the recommendation of the commission as to
31 the individual to be appointed. The governor shall
32 consider, but is not bound by, the recommendation
33 of the commission."

34 2. Page 1, by striking lines 21 through 25 and
35 inserting in lieu thereof the words and figure "Code
36 1979, is amended by striking the section and inserting
37 in lieu thereof the following:

38 601B.3 ROLES OF COMMISSION AND DIRECTOR. The

39 commission shall elect its own officers, shall meet
40 at such intervals as it determines are appropriate,
41 and shall establish policies to implement the
42 provisions of this chapter. The commission's policies
43 shall be followed by the director in functioning as
44 the commission's principal executive administrator.
45 The director, with approval of the commission, shall
46 employ the personnel necessary to the discharge of
47 the duties imposed on the commission by this chapter."

H-3859

1 Amend House File 734 as follows:

2 1. Page 21, by inserting after line 3 the
3 following:

4 "Sec. 20. Chapter four hundred sixty-seven A
5 (467A), Code 1979, is amended by adding the following
6 new section:

7 NEW SECTION. Every owner of agricultural land as
8 defined in section four hundred twenty-six point
9 two (426.2) of the Code shall enter into an agree-
10 ment for the employment of soil and water conserva-
11 tion practices with the respective soil conservation
12 district by July 1, 1985 and shall be in compliance
13 with the soil loss limit determined by the respective
14 soil conservation district by July 1, 1990. If an
15 owner of agricultural land as defined in section
16 four hundred twenty-six point two (426.2) of the Code
17 has not complied with either of these two require-
18 ments within ten years of the time this section
19 required compliance with the requirement, then that
20 landowner shall be ineligible for the agricultural
21 land tax credit provided in chapter four hundred
22 twenty-six (426) of the Code until that landowner
23 is in compliance with the requirements of this
24 section. The respective soil conservation district
25 shall certify to the county auditor those landowners
26 who are not eligible for the agricultural land tax
27 credit.

28 Sec. 21. Section four hundred sixty-seven A
29 point forty-four (467A.44), Code 1979, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. Establish procedures for entering
32 into soil and water conservation practices agreements
33 as provided in section twenty (20) of this Act and
34 certifying noncompliance with the requirements of
35 section twenty (20) of this Act."

36 2. By renumbering the sections to conform with
37 this amendment.

PERKINS of Greene

H-3861

1 Amend House File 731 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "any" the word "legal".

CONLON of Muscatine

H—3864

- 1 Amend Senate File 432, as amended, passed and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 2, line 9, by inserting after the word
- 4 "facilities" the words ", including but not limited to
- 5 residential treatment centers, group homes, and foster
- 6 family homes".
- 7 2. Page 3, line 5, by inserting after the word "care"
- 8 the words "provided by agencies".

MULLINS of Kossuth
 LONERGAN of Boone
 MILLER of Buchanan
 CLARK of Cerro Gordo
 SHIMANEK of Jones
 CONNORS of Polk

H—3865

- 1 Amend House File 722 as follows:
- 2 1. Page 4, line 11, by inserting after the word
- 3 "tires," the words "except that the maximum weight on
- 4 the steering axles shall not exceed eighteen thousand
- 5 pounds,".

HULLINGER of Decatur
 JAY of Appanoose

H—3867

- 1 Amend Senate File 230, as passed by the Senate,
- 2 as follows:
- 3 1. Page 1, by striking lines 14 and 15 and
- 4 inserting in lieu thereof the words "the Iowa supreme
- 5 court or an interpreter requested by the hearing
- 6 impaired".
- 7 2. Page 2, by striking lines 1 through 9 and
- 8 inserting in lieu thereof the following:
- 9 "Sec. 4. NEW SECTION. The courts and administra-
- 10 tive agencies shall maintain a directory of qualified
- 11 interpreters for hearing impaired persons. The
- 12 service program for the deaf shall maintain informa-
- 13 tion on the qualifications of interpreters which is
- 14 confidential unless a waiver is signed by the
- 15 interpreter."
- 16 3. Page 2, lines 26 and 27, by striking the
- 17 words "state department of health" and inserting in
- 18 lieu thereof the words "Iowa supreme court".
- 19 4. Page 2, line 29, by striking the word "court"

20 and inserting in lieu thereof the words "district
 21 courts".
 22 5. Page 3, by striking lines 7 and 8 and insert-
 23 ing in lieu thereof the words "another interpreter."

SMALLEY of Polk

H—3868

1 Amend the Committee Amendment H—3745 to Senate
 2 File 278 as amended, passed and reprinted by the
 3 Senate as follows:
 4 1. Page 1, line 41 by striking the word "ten"
 5 and inserting in lieu thereof the word "eleven".

WOODS of Polk
 SCHROEDER of Pottawattamie

H—3871

1 Amend the amendment, H—3819, to House File 560
 2 as follows:
 3 1. Page 3, line 31, by striking the word "ninety"
 4 and inserting in lieu thereof the word "thirty".
 5 2. Page 3, line 43, by striking the words "not
 6 less than ninety days".
 7 3. Page 4, by striking line 4 and inserting in
 8 lieu thereof the words "at the request of the
 9 commissioner a".
 10 4. Page 5, line 36, by inserting after the word
 11 "loss" the following: "; provided that the contracts
 12 which are authorized by this subsection shall be
 13 negotiated in the presence of an insurance agent
 14 licensed under the laws of this state".
 15 5. Page 5, line 46, by inserting after the word
 16 "loss" the following: "; provided that the contracts
 17 which are authorized by this subsection shall be
 18 negotiated in the presence of an insurance agent
 19 licensed under the laws of this state".

TYRRELL of Iowa

H—3876

1 Amend the amendment H—3818 to House File 681
 2 as follows:
 3 1. Page 1, by inserting after line 50 the
 4 following: "Not more than one member of a city
 5 zoning commission appointed pursuant to chapter
 6 four hundred fourteen (414) of the Code may be

7 appointed to the commission of an area of
8 historical significance."

LLOYD-JONES of Johnson

H-3883

1 Amend House File 697 as follows:
2 1. Page 2, by striking lines 19 through 24 and
3 inserting in lieu thereof the following: "the Code,
4 with voter approval at the annual school election.
5 The bonds or notes shall be sold at terms of not less".

LAGESCHULTE of Bremer
DIELEMAN of Marion
CUSACK of Scott
SHULL of Warren
SCHNEKLOTH of Scott
RITSEMA of Sioux

H-3886

1 Amend the Spear amendment, H-3382, to Senate File
2 277 as amended, passed and reprinted by the Senate
3 as follows:
4 1. Page 1, by striking lines 3 through 5 and
5 inserting in lieu thereof the following:
6 "1. Page 1, line 13, by striking the words "one
7 thousand two hundred fifty" and inserting in lieu
8 thereof the words "two thousand five hundred".
9 2. Page 1, line 8, by striking the words "two
10 thousand five hundred" and inserting in lieu thereof
11 the words "three thousand one hundred fifty".

SPEAR of Lee

H-3887

1 Amend House File 738 as follows:
2 1. Page 11, by inserting after line 25 the
3 following new subsection:
4 " . For the
5 construction of an overpass
6 within the corporate limits
7 of the city of Missouri Valley
8 on United States highway thirty
9 where the highway intersects
10 with and is crossed by the
11 tracks of the Chicago and
12 Northwestern Railway to
13 permit the unrestricted
14 movement of motor vehicle

- 15 traffic on United States
 16 highway thirty\$450,000 \$
 17 a. The state depart-
 18 ment of transportation
 19 shall not impose any park-
 20 ing restrictions along
 21 United States highway
 22 thirty within the business
 23 district of the city of
 24 Missouri Valley."
 25 2. Renumber sections and correct internal
 26 references as are necessary in accordance with this
 27 amendment.

DANKER of Pottawattamie
 CRABB of Crawford
 PELLETT of Cass

H—3892

- 1 Amend Senate File 93 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking line 35 through page 2,
 4 line 2, and inserting in lieu thereof the following:
 5 "licensed optometrist and graduated from a school
 6 of optometry after January 1, 1971 shall first
 7 satisfactorily complete a course of at least one
 8 hundred contact hours in pharmacology. If the
 9 optometrist did not graduate from a school of optometry
 10 prior to January 1, 1971, he or she must satisfactorily
 11 complete a course of at least two hundred contact
 12 hours in pharmacology. The course must be in".

LURA of Marshall

H—3894

- 1 Amend House File 738 as follows:
 2 1. Page 6, by striking lines 18 through 29 and
 3 inserting in lieu thereof the following new paragraph:
 4 "b. It is the intent
 5 of the general assembly
 6 that the fire marshal shall
 7 employ two additional arson
 8 investigators for the fiscal
 9 biennium with salary and other
 10 benefits to be paid from funds
 11 appropriated pursuant to para-
 12 graph a of this subsection
 13 and that the department of
 14 public safety shall reduce the
 15 current force of seven capitol

16 security guards to five
 17 capitol security guards for
 18 the fiscal biennium."

BINA of Scott

H-3897

1 Amend Senate File 230 as passed by the Senate as
 2 follows:
 3 1. Page 2, line 35, by inserting after the word
 4 "agency," the words "The court or administrative
 5 agency, other than an administrative agency of the
 6 state government, shall certify to the state department
 7 of health the fee and expenses paid pursuant to this
 8 section and the state department of health shall
 9 reimburse the court or administrative agency for that
 10 amount."

JOHNSON of Howard

H-3901

1 Amend House File 738 as follows:
 2 1. Page 11, line 11, by inserting after the word
 3 "branch line" the words "and rail switching yard".
 4 2. Page 15, by inserting after line 5 the following
 5 new sections:
 6 "Sec. . Section three hundred twenty-seven
 7 H point eighteen (327H.18), Code 1979, is amended
 8 to read as follows:
 9 327H.18 RAILROAD ASSISTANCE FUND ESTABLISHED.
 10 There is established a railroad assistance fund in
 11 the office of the treasurer of state. Moneys in this
 12 fund shall be expended for providing assistance to
 13 railroads for the restoration, conservation and
 14 improvement of railroad branch lines and for the
 15 restoration and improvement of rail switching yards.
 16 Any unencumbered funds appropriated pursuant to Acts
 17 of the 65 G.A., chapter 1113, section 13, or other
 18 funds appropriated by the general assembly for branch
 19 line railroad assistance shall be deposited in the
 20 railroad assistance fund. Any moneys received by
 21 the state department of transportation by agreements,
 22 grants, gifts, or other means from individuals,
 23 companies or other business entities, or cities and
 24 counties for the purposes set forth for the fund
 25 established pursuant to this section shall be credited
 26 to the railroad assistance fund.
 27 Sec. . Section three hundred twenty-seven H
 28 point twenty (327H.20), Code 1979, is amended to read
 29 as follows:

30 327H.20 ASSISTANCE AGREEMENTS. The director of
 31 the department of transportation with the approval
 32 of the state transportation commission, may enter
 33 into agreements with railroads, the United States
 34 government, persons, cities, counties, or railroad
 35 districts for carrying out the purposes of this section
 36 and sections 327H.18, 327H.19, 327H.21 to 327H.25.
 37 Agreements entered into between the director of the
 38 department of transportation and railroad corporations
 39 pursuant to this section may require payment by the
 40 railroad corporation of a portion of increased revenue
 41 derived from the improved branch line into the railroad
 42 assistance fund. The department may require a railroad
 43 corporation to pay for all or part of the costs paid
 44 from the railroad assistance fund for improvements
 45 to a rail switching yard. The board of supervisors
 46 of a county may enter into an agreement with the state
 47 department of transportation to receive a portion
 48 of the payments made by a railroad corporation to
 49 the railroad assistance fund pursuant to this section.
 50 The amount received by a county shall not exceed

Page 2

1 the amount appropriated to the railroad assistance
 2 fund by the county pursuant to section 327H.23.
 3 Sec. . Section three hundred twenty-seven H
 4 point twenty-two (327H.22), Code 1979, is amended
 5 to read as follows:
 6 327H.22 RAILROAD ACCOUNTS. Agreements between
 7 the railroad corporations and the state department
 8 of transportation which do not require payment of
 9 a portion of the increased revenue derived from the
 10 improved branch line railroad to be paid by the
 11 railroad to the railroad assistance fund shall require
 12 that the railroad establish and maintain a separate
 13 railroad corporation fund to which a specified portion
 14 of the increase in revenue derived from the improved
 15 railroad branch line shall be credited and that these
 16 funds shall be used by the railroad for improvement,
 17 restoration, or conservation of railroad branch lines
 18 and rail switching yards within the state. The terms
 19 and conditions governing the use of moneys in the
 20 special railroad corporation fund shall be stipulated
 21 in the agreement. The agreement shall also stipulate
 22 a penalty for use of the funds in a manner other than
 23 as set forth in the agreement.
 24 Sec. . Section three hundred twenty-seven H
 25 point twenty-three (327H.23), Code 1979, is amended
 26 to read as follows:
 27 327H.23 COUNTY FUNDS. The board of supervisors
 28 of a county may with the approval of the state

29 department of transportation, appropriate funds from
 30 the county general fund to the railroad assistance
 31 fund. The county may, according to the provisions
 32 of section 327H.20, receive a partial or total
 33 reimbursement for this appropriation. The money shall
 34 be used in accordance with this section and sections
 35 327H.18 to 327H.22, 327H.24 and 327H.25 only for
 36 conservation, restoration, or improvement of railroad
 37 branch lines or railroad switching yards within the
 38 county providing the funds. In any year the amount
 39 of money transferred to the railroad assistance fund
 40 by a county shall not exceed the amount of property
 41 taxes levied against the railroad property within
 42 the county."
 43 3. Renumber sections and correct internal
 44 references as are necessary in accordance with this
 45 amendment.

PAVICH of Pottawattamie

H-3908

1 Amend Senate File 462 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 10, by inserting after line 8 the following
 4 new section:
 5 "Sec. . Section two hundred thirty-two point
 6 one hundred forty-one (232.141), subsection four (4),
 7 paragraph d, Code 1979, is amended to read as follows:
 8 d. Costs incurred under provisions of this section
 9 which are not paid by the county under the provisions
 10 of paragraphs "a," "b" and "c" shall be paid in whole
 11 or in part by the state. The state shall pay one
 12 hundred percent of the costs incurred under this
 13 section in excess of the amount determined by
 14 paragraph "b" for any amount not exceeding ten percent
 15 of the amount determined by paragraph "b". The state
 16 shall pay seventy-five percent of the costs incurred
 17 under this section in excess of one hundred ten percent
 18 of the amount determined by paragraph "b" and the
 19 county shall pay the remaining twenty-five percent."
 20 2. By changing section numbers as made necessary
 21 by this amendment.

BRUNER of Story

H-3915

1 Amend House File 738 as follows:
 2 1. Page 12, by inserting after line 18 the
 3 following new section:
 4 "Sec. . The state department of transportation

5 shall issue a new motor vehicle license to any person
 6 to whom a license has been issued prior to the
 7 effective date of this Act which license has a red
 8 line or other identifying mark on its face which
 9 identifies the holder of the motor vehicle license
 10 as under the age of nineteen at the time the license
 11 is issued. On or after the effective date of this
 12 Act, the department shall not issue a motor vehicle
 13 license to any person which license has a red line
 14 or other identifying mark on its face which identifies
 15 the holder of the motor vehicle license as under the
 16 age of nineteen at the time the license is issued.
 17 The cost of issuing new motor vehicle licenses as
 18 required by this section shall be paid by the
 19 department from funds appropriated pursuant to section
 20 five (5), subsection one (1), of this Act and the
 21 person to whom the new motor vehicle license is issued
 22 shall not pay any fee or costs incurred by the
 23 department for the issuance of new motor vehicle
 24 licenses as required by this section.”
 25 2. Renumber sections and correct internal
 26 references as may be necessary in accordance with
 27 this amendment.

SCHROEDER of Pottawattamie
 POPE of Polk
 CLARK of Cerro Gordo
 DOYLE of Woodbury
 HIBBS of Johnson

H-3917

1 Amend the Committee on State Government amend-
 2 ment H-3738 to Senate File 264 as amended, passed
 3 and reprinted by the Senate, as follows:
 4 1. By striking page 25, line 46 through page
 5 26 line 5, and inserting in lieu thereof the
 6 following:
 7 “b. By a special election held to fill the
 8 office for the remaining balance of the unexpired
 9 term. If the council opts for a special election
 10 or a valid petition is filed under paragraph a of
 11 this subsection, the special election may be held
 12 concurrently with any pending election as provided
 13 by section sixty-nine point twelve (69.12) of the
 14 Code if by so doing the vacancy will be filled not
 15 more than ninety days after it occurs. Otherwise,
 16 a special election to fill the office shall be call-
 17 ed at the earliest practicable date. If there are
 18 concurrent vacancies on the council and the remain-
 19 ing council members do not constitute a quorum of
 20 the full membership, a special election shall be

21 called at the earliest practicable date. A special
22 election held under".

SPEAR of Lee

H-3918

1 Amend Senate File 264, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 4, by striking line 31 and inserting in
4 lieu thereof the following:

5 "Sec. 7. Section fifty-six point two (56.2),
6 subsection fourteen (14), Code 1979, is amended to
7 read as follows:

8 14. "Committee" includes a political committee,
9 a political action committee, and a candidate's
10 committee.

11 Sec. 8. Section fifty-six point two (56.2), Code
12 1979, is amended by adding the following new
13 subsection:

14 **NEW SUBSECTION.** "Political action committee" means
15 a committee of the kind described in section fifty-
16 six point twenty-nine (56.29), subsection three (3)
17 of the Code.

18 Sec. 9. Section fifty-six point six (56.6),
19 subsection three (3), paragraph b, Code 1979, is
20 amended by striking the paragraph and inserting in
21 lieu thereof the following:

22 b. The name and mailing address of each person
23 who has made one or more contributions of money to
24 the committee including the proceeds from fund-raising
25 events except those reportable under paragraph f of
26 this subsection, when the aggregate amount in a
27 calendar year exceeds the amount specified in the
28 following schedule:

- 29 (1) For a state statutory political committee \$100
- 30 (2) For a county statutory political committee \$ 50
- 31 (3) For a ballot issue \$ 25

32 (4) For an individual candidate for public office,
33 one-half the maximum amount the contributor is
34 permitted to contribute in one year under section
35 ten (10) of this Act.

36 Sec. 10. Chapter fifty-six (56), Code 1979, is
37 amended by inserting after section fifty-six point
38 thirteen (56.13) the following new section:

39 **NEW SECTION. MAXIMUM AMOUNT OF CERTAIN**
40 **CAMPAIGN CONTRIBUTIONS.** A contributor shall not make
41 contributions to one candidate in one calendar year
42 exceeding the amounts specified in this section.

43 1. An individual contributor shall not make
44 contributions to one candidate in excess of fifty
45 dollars.

46 2. A committee, except a state statutory political
 47 committee, a county statutory political committee,
 48 or the candidate's own candidate's committee, shall
 49 not make contributions to one candidate in excess
 50 of one hundred dollars.

Page 2

1 Sec. 11. Section fifty-six point eighteen (56.18),
 2 Code”.

CONNOLLY of Dubuque
 HALVORSON of Webster

H—3921

1 Amend the Committee on State Government amend-
 2 ment H—3738 to Senate File 264 as amended, passed
 3 and reprinted by the Senate, as follows:
 4 1. Page 23, line 13, by striking the words
 5 “term, which” and inserting in lieu thereof the
 6 words “term. If the board opts for a special
 7 election or a valid petition is filed under sub-
 8 section one (1) of this section, the special
 9 election”.
 10 2. Page 23, by striking lines 19, 20 and 21
 11 and inserting in lieu thereof the words “at the
 12 earliest practicable date. If a special election
 13 is called.”.

SPEAR of Lee

H—3922

1 Amend Senate File 149 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 10 through 15 and
 4 inserting in lieu thereof the following:
 5 “2. Three law enforcement officers from three
 6 different law enforcement agencies or departments.”
 7 2. By renumbering the subsections to conform with
 8 this amendment.

PAVICH of Pottawattamie

H—3923

1 Amend House File 738 as follows:
 2 1. Page 14, by inserting after line 9 the following

3 new section:
 4 "Sec. . The state department of transportation
 5 shall construct an overpass within the corporate
 6 limits of the city of Missouri Valley on United States
 7 highway thirty where the highway intersects with and
 8 is crossed by the tracks of the Chicago and
 9 Northwestern Railway to permit the unrestricted
 10 movement of motor vehicles on United States highway
 11 thirty. The cost of the project shall be paid by
 12 the state department of transportation from funds
 13 appropriated by the general assembly meeting in the
 14 year 1979 from the primary road fund to the state
 15 department of transportation for highway con-
 16 struction."
 17 2. Renumber sections and correct internal
 18 references as are necessary in accordance with this
 19 amendment.

PAVICH of Pottawattamie

H-3924

1 Amend the Committee on State Government amend-
 2 ment H-3738 to Senate File 264 as amended, passed
 3 and reprinted by the Senate, as follows:
 4 1. Page 22, by striking lines 31 through 34
 5 and inserting in lieu thereof the words "one of
 6 the procedures prescribed by this section, except
 7 that if there are concurrent vacancies on the
 8 board and the remaining supervisors do not con-
 9 stitute a quorum of the board's full membership,
 10 section fifty-four (54) of this Act must be
 11 followed.
 12 1. By appointment by the remaining supervisors.
 13 If the board chooses".

SPEAR of Lee

H-3925

1 Amend the Committee on State Government amend-
 2 ment H-3738 to Senate File 264 as amended, passed
 3 and reprinted by the Senate, as follows:
 4 1. Page 25, by striking line 32 and inserting
 5 in lieu thereof the following: "notice there is
 6 filed with the city clerk a petition which".

SPEAR of Lee

H-3928

- 1 Amend the Committee on State Government amend-
- 2 ment H-3738 to Senate File 264 as amended, passed
- 3 and reprinted by the Senate, as follows:
- 4 1. Page 25, line 32, by striking the words
- 5 "the council is presented with" and inserting in
- 6 lieu thereof the following: "there is filed with
- 7 the city clerk".

SPEAR of Lee

H-3931

- 1 Amend the Committee on State Government amendment
- 2 H-3738 to Senate File 264 as amended, passed and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 25, line 32, by inserting after the word
- 5 "notice" the words "or after the appointment is made,
- 6 whichever is later,".

HALL of Linn

H-3935

- 1 Amend amendment H-3726 to House File 732 as
- 2 follows:
- 3 1. By striking page 1, lines 44 through page 2,
- 4 line 10 and inserting in lieu thereof the following:
- 5 "b. By a special election held to fill the
- 6 office for the remaining balance of the unexpired
- 7 term. If the council opts for a special election
- 8 or a valid petition is filed under paragraph a of
- 9 this subsection, the special election may be held
- 10 concurrently with any pending election as provided
- 11 by section sixty-nine point twelve (69.12) of the
- 12 Code if by so doing the vacancy will be filled not
- 13 more than ninety days after it occurs. Otherwise,
- 14 a special election to fill the office shall be
- 15 called at the earliest practicable date. If
- 16 there are concurrent vacancies on the council and
- 17 the remaining council members do not constitute a
- 18 quorum of the full membership, a special election
- 19 shall be called at the earliest practicable date.
- 20 A special election held under this subsection is
- 21 subject to neither a primary nor runoff election,
- 22 even if such an election is required when the
- 23 office in question is filled at a regular city
- 24 election, and the candidate receiving a plurality
- 25 of the vote is elected."

SPEAR of Lee

H-3936

- 1 Amend amendment H-3915 to House File 738, page 12,
- 2 as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "shall" the words ", upon request,".

SCHROEDER of Pottawattamie
 POPE of Polk
 CLARK of Cerro Gordo

H-3939

- 1 Amend Senate File 199 as amended and reprinted
- 2 by the Senate as follows:
- 3 1. Page 1, by striking lines 11 through 14 and
- 4 inserting in lieu thereof the words "proprietary
- 5 capacity."

WOODS of Polk
 SMALLEY of Polk
 KREWSON of Polk
 JESSE of Polk
 CUSACK of Scott
 JOCHUM of Dubuque
 POPE of Polk

CHIDO of Polk
 SHERZAN of Polk
 THOMPSON of Polk
 CONNORS of Polk
 ANDERSON of Jasper
 ARNOULD of Scott
 CONLON of Muscatine

H-3941

- 1 Amend Senate File 388, as amended, passed and
- 2 reprinted by 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 four hundred fifty-five C
- 6 (455C), Code 1979, is repealed."
- 7 2. Amend the title, by striking lines 1 through
- 8 16 and inserting in lieu thereof the following: "An
- 9 Act to repeal chapter four hundred fifty-five C (455C)
- 10 of the Code."

WOODS of Polk
 CHIDO of Polk

H-3944

- 1 Amend Senate File 93 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 32, by inserting after the word
- 4 "education" the words "and pass an examination
- 5 prescribed by the board of optometry examiners".

SCHROEDER of Pottawattamie

H-3946

- 1 Amend House File 676 as follows:
 2 1. Page 1, line 34, by inserting after the word
 3 "towing," the words "However, the services enumerated
 4 in this paragraph shall not be subject to the tax
 5 herein imposed on gross taxable services if such
 6 enumerated services are rendered, furnished or
 7 performed by a county or city."
 8 2. Amend the title, line 2, by inserting after
 9 the word "laboratories" the words "and of services
 10 rendered, furnished or performed by a county or city".

WOODS of Polk
 SMALLEY of Polk
 KREWSON of Polk
 JESSE of Polk
 CUSACK of Scott
 JOCHUM of Dubuque
 POPE of Polk

CHiodo of Polk
 SHERZAN of Polk
 THOMPSON of Polk
 CONNORS of Polk
 ANDERSON of Jasper
 ARNOULD of Scott
 CONLON of Muscatine

H-3948

- 1 Amend House File 676 as follows:
 2 1. Page 1, by inserting after line 34 the
 3 following:
 4 "Sec. 2. Section four hundred twenty-two point
 5 forty-five (422.45), Code 1979, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. The gross receipts from sales
 8 or services rendered, furnished or performed by a
 9 county or city. This exemption does not apply to
 10 the tax specifically imposed under section four hundred
 11 twenty-two point forty-three (422.43) of the Code
 12 on the gross receipts from the sales, furnishing or
 13 service of gas, electricity, water, heat and
 14 communication service to the public by a municipal
 15 corporation in its proprietary capacity.
 16 Sec. 3. The director of revenue shall not collect
 17 any tax due or delinquent, including interest and
 18 penalties, from sales or services rendered, furnished
 19 or performed, before the effective date of this Act
 20 if such sales or services would be exempt under section
 21 two (2) of this Act if made after the effective date
 22 of this Act. Any tax that has been collected before
 23 the effective date of this Act is not refundable."
 24 2. Amend the title, line 2, by inserting after
 25 the word "laboratories" the words "and exempting most
 26 sales or services by a county or city from the sales
 27 and use tax".

WOODS of Polk
 SMALLEY of Polk
 KREWSON of Polk
 JESSE of Polk
 CUSACK of Scott
 JOCHUM of Dubuque
 POPE of Polk

CHiodo of Polk
 SHERZAN of Polk
 THOMPSON of Polk
 CONNORS of Polk
 ANDERSON of Jasper
 ARNOULD of Scott
 CONLON of Muscatine

H—3951

- 1 Amend Senate File 299 as follows:
- 2 1. Page 1, lines 20 and 21, by striking the words
- 3 "of a company that does multistate business".
- 4 2. Page 3, line 26, by inserting after the word
- 5 "of" the words "a headquarters facility or".
- 6 3. Amend the title, line 3, by striking the words
- 7 "of multistate businesses".

COCHRAN of Webster
NORLAND of Worth

H—3953

- 1 Amend Senate File 462, as passed by the Senate
- 2 and reprinted, as follows:
- 3 1. Page 7, line 9, by inserting after the word
- 4 "counsel," the words "The court shall determine,
- 5 within six months from the date of the determination
- 6 of a person's ability to pay for appointed counsel,
- 7 the likelihood of impairment of the relationship
- 8 between the child and the person if the person is
- 9 ordered to pay."

MILLER of Buchanan
CLARK of Cerro Gordo

H—3958

- 1 Amend amendment H—3688 to Senate File 93 as
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 1, lines 5 and 6 by striking the words
- 4 "drug including prescription, non-prescription or
- 5 controlled substances" and inserting in lieu
- 6 thereof the words "prescription drug or controlled
- 7 substance".

LURA of Marshall

H—3960

- 1 Amend Senate File 280 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section three hundred six point seven
- 5 (306.7), Code 1979; is amended by adding the following
- 6 new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. However, a primary road
- 8 may not be reclassified as part of the farm-to-market
- 9 road system or the local secondary road system by
- 10 the functional classification board or the department

- 11 without prior approval of the county board of
 12 supervisors of each affected county."
 13 2. By renumbering sections to conform with this
 14 amendment.

ANDERSON of Audubon
 BRANSTAD of Winnebago
 POFFENBERGER of Dallas

H-3961

- 1 Amend the Committee on Transportation amendment,
 2 H-3745, to Senate File 278, as amended, passed, and
 3 reprinted by the Senate, as follows:
 4 1. Page 1, lines 48 and 49, by striking the words
 5 "of transportation".
 6 2. Page 1, line 50, by striking the words "state
 7 transportation".
 8 3. Page 2, line 36, by striking the word "individual"
 9 and inserting in lieu thereof the words "peace officer
 10 as defined in section eight hundred one point four
 11 (801.4) of the Code".
 12 4. Page 3, line 43, by striking the words "of
 13 transportation".
 14 5. Page 3, by striking lines 45 through 50 and
 15 inserting in lieu thereof the following:
 16 "2. RULES. The department may adopt rules pursuant
 17 to chapter seventeen A (17A) of the Code necessary to
 18 carry out the provisions of this section."
 19 6. Page 4, line 2, by striking the words "subdivisions
 20 and municipalities" and inserting in lieu thereof the words
 21 "political subdivisions".

EGENES of Story

H-3962

- 1 Amend Senate File 203, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "for" the word "aviation".

SCHROEDER of Pottawattamie

H-3963

- 1 Amend Senate File 172, as passed and reprinted by
 2 the Senate, as follows:
 3 1. Page 1, line 12, by inserting after the word
 4 "board" the words "which shall not be less than
 5 seventy years of age".

SPEAR of Lee

H-3964

- 1 Amend the Connolly, et al amendment, H-3727, to
- 2 Senate File 264 as amended, passed and reprinted by
- 3 the Senate as follows:
- 4 1. Page 9, line 21, by inserting after the period
- 5 the words "The limitations of this section do not
- 6 apply to contributions made by a candidate to his
- 7 or her own candidate's committee."

SPEAR of Lee

H-3965

- 1 Amend the Connolly and Halvorson of Webster
- 2 amendment, H-3918, to Senate File 264 as amended,
- 3 passed and reprinted by the Senate as follows:
- 4 1. Page 1, line 42, by inserting after the period
- 5 the words "The limitations of this section do not.
- 6 apply to contributions made by a candidate to his
- 7 or her own candidate's committee."

SPEAR of Lee

H-3967

- 1 Amend Senate File 230 as follows:
- 2 1. Page 3, by adding the following after line
- 3 8:
- 4 "Sec. . NEW SECTION. Nothing in this Act
- 5 shall prohibit a court or administrative agency
- 6 from substituting the services of any qualified
- 7 interpreter for the services of an interpreter
- 8 under the provisions of this Act, when the
- 9 substitution will not work a violation of the due
- 10 process rights of a party, or when the substitution
- 11 is agreed to by agreement of the parties. In the
- 12 event that a substitution is made, the conditions
- 13 of the interpreter's employment shall be determined
- 14 by the court or the agency."

CONLON of Muscatine

H-3970

- 1 Amend Senate File 278, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 23 the following
- 4 new section:
- 5 "Sec. . Section three hundred twenty-one point
- 6 two hundred nine (321.209), Code 1979, is amended
- 7 by adding the following new unnumbered paragraph:

8 **NEW UNNUMBERED PARAGRAPH.** The department shall
9 revoke the license or permit of an individual to
10 operate a motor vehicle on the highways of this state
11 if the person is not able to demonstrate proof of
12 financial responsibility as defined in section three
13 hundred twenty-one A point one (321A.1) of the Code."

14 2. Page 3, by inserting after line 11 the following
15 new section:

16- "Sec. . Chapter three hundred twenty-one (321),
17 Code 1979, is amended by adding the following new
18 section:

19 **NEW SECTION. PROOF OF FINANCIAL RESPONSIBILITY.**

20 1. Notwithstanding the provisions of chapter three
21 hundred twenty-one A (321A) of the Code, as it pertains
22 to who is required to maintain proof of financial
23 responsibility to operate a motor vehicle on the
24 highways of this state, a person shall not operate
25 a motor vehicle, which is required to be registered
26 in this state, on the highways of this state unless
27 the person has demonstrated proof of financial
28 responsibility as defined in section three hundred
29 twenty-one A point one (321A.1), subsection ten (10)
30 of the Code.

31 2. The department shall not register a motor
32 vehicle in this state unless the applicant has
33 demonstrated proof of financial responsibility in
34 a manner provided in this section or such other manner
35 as prescribed by the department to substantiate that
36 a person has the ability to respond in damages for
37 liability in the amounts specified in section three
38 hundred twenty-one A point one (321A.1), subsection
39 ten (10) of the Code. A certificate of insurance
40 from an insurance company licensed to conduct business
41 in Iowa, an appropriate bond or a certificate from
42 the treasurer of state shall be adequate evidence
43 of proof of financial responsibility.

44 3. An insurance company operating in the state
45 shall notify the state department of transportation
46 in a manner prescribed by the commissioner of insurance
47 after consultation with the state department of
48 transportation of a cancellation of an insurance
49 policy issued to a person to satisfy the requirements
50 for proof of financial responsibility. The department

Page 2

1 shall revoke the motor vehicle license or permit of
2 a person who is unable to demonstrate proof of
3 financial responsibility.

4 4. The state department of transportation and
5 the insurance department shall adopt rules pursuant
6 to chapter seventeen A (17A) of the Code to implement

- 7 the provisions of this Act.”
 8 3. Amend the title, line 2, by inserting after
 9 the word “actions,” the words “providing for the
 10 maintenance of proof of financial responsibility.”
 11 4. Renumber sections and correct internal
 12 references as are necessary in accordance with this
 13 amendment.

MILLER of Buchanan
 BRANDT of Black Hawk

H—3971

- 1 Amend Senate File 235 as follows:
 2 1. Page 1, by inserting after line 25 the
 3 following:
 4 “Sec. . Section ninety-nine B point seven
 5 (99B.7), subsection three (3), paragraph a, Code 1979,
 6 is amended to read as follows:
 7 3. a. A person wishing to conduct games and
 8 raffles pursuant to this section as a qualified
 9 organization shall submit an application and a license
 10 fee of twenty-five dollars. However, upon submission
 11 of an application accompanied by a license fee of
 12 fifteen dollars, a person may be issued a limited
 13 license which shall authorize the person to conduct
 14 all games and raffles pursuant to this section at a
 15 specified location and during a specified period of
 16 fourteen consecutive calendar days. A limited license
 17 shall not be issued more than once during any twelve-
 18 month period to the same person, or for the same
 19 location. A nonprofit organization, institution, or
 20 charitable association, which is required to obtain a
 21 permit by the provisions of chapter one hundred
 22 twenty-two (122) of the Code, shall not be required
 23 to pay the license fee to conduct a raffle required
 24 by this paragraph if the total value of the prizes
 25 awarded is less than five hundred dollars per year.”

BENNETT of Ida
 HUSAK of Tama

H—3973

- 1 Amend the Committee on State Government amendment
 2 H-3738 to Senate File 264 as amended, passed and
 3 reprinted by the Senate, as follows:
 4 1. Page 1, by inserting after line 48 the following
 5 new section:
 6 “Sec. . Chapter thirty-nine (39), Code 1979,
 7 is amended by adding the following new section:
 8 NEW SECTION. CANDIDATES—LEAVES OF ABSENCE.

9 1. A person who is a candidate for election to
 10 the Iowa general assembly shall, upon written
 11 application to his or her employer, be granted a leave
 12 of absence from his or her regular employment except
 13 where prohibited by the federal law. The leave of
 14 absence may, at the employee's option, begin on the
 15 date of the person's original announcement of his
 16 or her candidacy for election to the Iowa general
 17 assembly. Upon receiving proof of election or
 18 reelection, the employer shall extend the leave of
 19 absence for the period of time that is required to
 20 carry out the duties of public office. The leave
 21 of absence shall be granted without a loss of position,
 22 status, or employment benefits. An employee shall
 23 not be prohibited from returning to his or her regular
 24 employment before expiration of the period for which
 25 the leave of absence was granted.

26 2. The leave of absence for a person regularly
 27 employed pursuant to the provisions of chapter nineteen
 28 A (19A) of the Code shall be according to the
 29 provisions of section nineteen A point eighteen
 30 (19A.18) of the Code.

31 3. A person convicted of violating this section
 32 is guilty of a simple misdemeanor."

33 2. Page 19, by inserting after line 22 the
 34 following:

35 "Sec. . Section fifty-six point ten (56.10),
 36 Code 1979, is amended by adding the following new
 37 subsection:

38 NEW SUBSECTION. Determine, in case of dispute,
 39 whether the dismissal from regular employment of a
 40 person who is a candidate for or is elected to public
 41 office, is a direct result of that person's candidacy
 42 for or election to public office."

CUSACK of Scott
 CONNOLLY of Dubuque

H—3974

1 Amend the Committee on State Government
 2 amendment H—3738, to the Senate File 264, as passed by
 3 the Senate and reprinted as follows:

4 1. Page 14, by striking lines 33 through 35
 5 and inserting in lieu thereof the following: "which
 6 shall be determined by the commissioner of elections
 7 for persons working under his or her jurisdiction
 8 while engaged in the".

CHIODO of Polk

H-3975

- 1 Amend the Committee on State Government amendment,
2 H-3738, to Senate File 264 as amended, passed and
3 reprinted by the House as follows:
- 4 1. Page 5, line 42, by striking the word "tenth"
5 and inserting in lieu thereof the word "eleventh".
6 2. Page 5, by striking lines 46 and 47 and
7 inserting in lieu thereof the following: "date shall
8 be the tenth day after the date of registration if
9 the registration was so received on the tenth day
10 prior to a general election, a primary election, or
11 an election called by the governor under section
12 sixty-nine point fourteen (69.14) of the Code in which
13 voting is to occur in the precinct where the registrant
14 lives.
15 b. One day later than is provided by paragraph
16 a of this subsection when a registration taken by
17 a mobile".
18 3. Page 5, line 50, by striking the words "an
19 election" and inserting in lieu thereof the words
20 "any of the elections referred to in paragraph a of
21 this subsection, or on the eleventh day preceding
22 any other election".
23 4. Page 6, line 2, by striking the letter "b"
24 and inserting in lieu thereof the letter "c".

HANSON of Delaware
CONLON of Muscatine

H-3976

- 1 Amend the Committee on State Government amendment,
2 H-3738, to Senate File 264 as amended, passed and
3 reprinted by the Senate as follows:
- 4 1. Page 15, by inserting after line 35 the
5 following:
6 "Sec. . Section fifty point twenty-one (50.21),
7 Code 1979, is amended to read as follows:
8 50.21 SPECIAL PRECINCT BOARD RECONVENED. The
9 commissioner shall reconvene the election board of
10 the special precinct established by section 53.20
11 at noon on the third day following each election which
12 is required by law to be canvassed on the Monday
13 following the election. If the third day following
14 such an election is a legal holiday the special
15 precinct election board may be convened at noon
16 on the second day following the election, and if
17 the canvass of the election is required at any earlier
18 time earlier than the Monday following the election,
19 the special precinct election board shall be reconvened
20 at noon on the day following the election. If no

21 challenged ballots were cast in the county pursuant
 22 to section 49.81 at any election, the special precinct
 23 election board need not be so reconvened. If the
 24 number of challenged ballots so cast at any election
 25 is not sufficient to require reconvening of the entire
 26 election board of the special precinct, the
 27 commissioner may reconvene only the number of members
 28 required, but in so doing shall observe the
 29 requirements of sections 49.12 and 49.13."

HANSON of Delaware
 LURA of Marshall

H-3977

1 Amend the committee on State Government amendment
 2 H-3738 to Senate File 264 as amended, passed and re-
 3 printed by the Senate as follows:
 4 1. Page 26, by striking lines 45 through 49 and
 5 inserting in lieu thereof the following:
 6 "Sec. 62. Section thirty-one (31) of this Act".
 7 2. Page 26, by inserting after line 49 the fol-
 8 lowing:
 9 "10. Page 6, line 25, by striking the word "are"
 10 and inserting in lieu thereof the word "is"."

CRAWFORD of Story

H-3978

1 Amend the Committee on State Government amendment
 2 H-3738 to Senate File 264 as amended, passed and
 3 reprinted by the Senate as follows:
 4 1. Page 14, by striking lines 33 through 35
 5 and inserting in lieu thereof the following: "which
 6 shall be an amount determined by the county commissioner
 7 of elections, which is between the hourly rate of pay
 8 established for pay grade seven, step one, under the
 9 state merit system and a rate which is fifty percent
 10 (50%) higher than grade seven, step one, under the
 11 state merit system, while engaged in the".

CHIODO of Polk

H-3979

1 Amend the committee on State Government amendment
 2 H-3738 to Senate File 264 as amended, passed and re-
 3 printed by the Senate as follows:
 4 1. Page 14, by striking lines 36, 37 and 38 and
 5 inserting in lieu thereof the following:
 6 "4. Page 2, by striking lines 4 through 22 and in-

7 serting in lieu thereof the following:
 8 "Sec. 32. Section forty-nine point one hundred".
 9 2. By renumbering all of the sections added to
 10 the bill by the remainder of amendment H—3738 in
 11 accordance with section 1 of this amendment.

CRAWFORD of Story
 HIBBS of Johnson
 BRANDT of Black Hawk
 LLOYD-JONES of Johnson

H—3981

1 Amend Senate File 361 as passed by the Senate,
 2 as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting in lieu thereof the following:
 5 "Section 1. Section six hundred thirty-three point
 6 two hundred eleven (633.211), Code 1979, is amended
 7 by striking the section and inserting in lieu thereof
 8 the following:
 9 633.211 SHARE OF THE SURVIVING SPOUSE. If the
 10 decedent dies intestate leaving a surviving spouse,
 11 the surviving spouse shall receive the following:
 12 1. If there are no surviving issue of the decedent,
 13 or if there are surviving issue all of whom are issue
 14 of the decedent and the surviving spouse, the entire
 15 estate.
 16 2. If there are surviving issue of the decedent,
 17 one or more of whom are not issue of the surviving
 18 spouse, the first fifty thousand dollars plus one-
 19 third of the balance of the estate.
 20 Sec. 2. Section six hundred thirty-three point
 21 two hundred nineteen (633.219), Code 1979, is amended
 22 by striking the section and inserting in lieu thereof
 23 the following:
 24 633.219 SHARE OF HEIRS. The part of the estate
 25 not passing to the surviving spouse under section
 26 one (1) of this Act, or the entire estate if there
 27 is no surviving spouse, shall be disposed of as
 28 follows:
 29 1. To the issue of the decedent, to be distributed
 30 among them per capita at each generation as provided
 31 for in subsection five (5) of this section.
 32 2. If there are no surviving issue, to the
 33 decedent's parents equally, or to the surviving parent
 34 if one parent predeceased the decedent, or if both
 35 parents predeceased the decedent, the share of each
 36 parent to be distributed among that parent's issue
 37 per capita at each generation as provided for in
 38 subsection five (5) of this section. If both parents
 39 predecease the decedent, with only one of those pa-

40 rents survived by issue, the share of the parent who
41 predeceased the decedent, without issue who survived
42 the decedent shall be distributed among the issue
43 of the other parent per capita at each generation
44 as provided for in subsection five (5) of this section.

45 3. If there are no surviving issue, parents, or
46 issue of parents, but the decedent is survived by
47 one or more grandparents or issue of grandparents,
48 half of the estate passes to the paternal grandparents
49 if both paternal grandparents survive, or to the
50 surviving paternal grandparent, or if both paternal

Page 2

1 grandparents are deceased, to the issue of the pa-
2 ternal grandparents to be distributed per capita at
3 each generation as provided for in subsection five
4 (5) of this section. If both paternal grandparents
5 predecease the decedent with only one of those
6 grandparents survived by issue, the share of the
7 paternal grandparent who predeceased the decedent
8 without issue who survived the decedent shall be
9 distributed among the issue of the other paternal
10 grandparent per capita at each generation as provided
11 for in subsection five (5) of this section. The other
12 half of the decedent's estate not passing to the
13 paternal grandparents, or their issue, passes to the
14 maternal grandparents or their issue in the same
15 manner; but if there are no surviving grandparents
16 or issue of a grandparent on the maternal side, the
17 entire estate passes to the relatives on the paternal
18 side.

19 4. If the decedent is not survived by a spouse,
20 issue, parents or issue of parents, grandparents or
21 issue of grandparents, the estate escheats to the
22 state of Iowa.

23 5. In situations in which per capita at each
24 generation distribution is called for by this section,
25 the estate is initially divided at the nearest
26 generation to the decedent, which generation contains
27 at least one living member who survived the decedent,
28 with an allocation of one equal share to each of the
29 surviving members of that generation and each of the
30 members of that generation who predeceased the decedent
31 leaving issue. The shares of members of that initial
32 division generation who predeceased the decedent
33 leaving issue who survived the decedent are divided
34 among the issue of those predeceased members as if
35 each succeeding generation was the initial division
36 generation.

37 Sec. 3. Section six hundred thirty-three point

38 two hundred twelve (633.212), Code 1979, is repealed.
 39 Sec. 4. This Act takes effect January first
 40 following its enactment for the estates of persons
 41 who die on or after that date."

PATCHETT of Johnson
 POFFENBERGER of Dallas
 LLOYD-JONES of Johnson

H-3982

1 Amend Senate File 286 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by inserting after line 6 the following:
 4 "Sec. 3. Chapter four hundred seventy-nine (479),
 5 Code 1979, is amended by adding the following new
 6 section:
 7 NEW SECTION. PRESUMPTION. In case of injury to
 8 a person or property by a pipeline, negligence shall
 9 be presumed on the part of the person or corporation
 10 operating the pipeline in causing the injury, but
 11 the presumption may be rebutted. The presumption
 12 does not exist in favor of employees of the person
 13 or corporation operating the pipeline who are charged
 14 with or engaged in the construction, reconstruction,
 15 repair, or maintenance of the pipeline, unless
 16 otherwise provided by the employers liability and
 17 workers' compensation laws of the state."
 18 2. By renumbering the sections to conform with
 19 this amendment.

HOWELL of Floyd

H-3984

1 Amend H-3888 to Senate File 442 as follows:
 2 1. Page 1, line 3, by striking the words "sixty-
 3 five" and inserting in lieu thereof the words
 4 "seventy".
 5 2. Page 1, by inserting after line 7 the follow-
 6 ing:
 7 "2. Page 1, line 30, by inserting after the word
 8 "dividends." the following: "Individual members of
 9 associations other than those cooperative associations
 10 which are public utilities defined in section four
 11 hundred seventy-six point one (476.1) of the Code,
 12 who are credited with unpaid deferred patronage
 13 dividends and who are ineligible because they stopped
 14 producing products marketed by the association, may
 15 on reaching the age of seventy years or older, request
 16 that their deferred patronage dividends be paid."

17 Upon such a request, the association shall within
 18 two years of the request commence payment of the
 19 member's deferred patronage dividends in cash in
 20 approximately equal annual increments over a period
 21 of ten years and the ineligible member shall receive
 22 interest computed on the unpaid balance at the rate
 23 of six percent annually."

24 3. Page 1, line 9, by striking the words "sixty-
 25 five" and inserting in lieu thereof the words
 26 "seventy".

27 4. Page 1, by inserting after line 15 the follow-
 28 ing:

29 "4. Page 2, line 19, by inserting after the word
 30 "~~prescribed.~~" the following: "Individual members
 31 of associations other than those cooperative
 32 associations which are public utilities defined in
 33 section four hundred seventy-six point one (476.1)
 34 of the Code, who are credited with unpaid deferred
 35 patronage dividends, who are ineligible because they
 36 stopped producing products marketed by the association,
 37 who are seventy years of age or older, and who request
 38 the payment of their deferred patronage dividends,
 39 shall be paid as provided for in section four hundred
 40 ninety-nine point thirty (499.30) of the Code, without
 41 reference to the order of priority."

HOWELL of Floyd

H-3985

1 Amend Senate File 235 as amended, passed and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 25 the
 4 following:

5 "Sec. 3. Section one hundred twenty-three point
 6 three (123.3), Code 1979, is amended by adding the
 7 following new subsection:

8 NEW SUBSECTION. "Raffle" means a lottery in which
 9 each participant buys a ticket for a chance at a prize
 10 with the winner determined by a random method.

11 "Raffle" does not include a slot machine.

12 Sec. 4. Section one hundred twenty-three point
 13 three (123.3), Code 1979, is amended by adding the
 14 following new subsection:

15 NEW SUBSECTION. "Nonprofit organization" means
 16 a corporation organized under chapter five hundred
 17 four (504) or chapter five hundred four A (504A) of the
 18 Code.

19 Sec. 5. Section one hundred twenty-three point
 20 three (123.3), Code 1979, is amended by adding the
 21 following new subsection:

22 NEW SUBSECTION. "Auction" means the offering for

23 sale or selling to the highest bidder or offering
 24 for sale or selling at a high price and then offering
 25 the same merchandise at successive lower prices until
 26 a buyer is secured.

27 Sec. 6. Chapter one hundred twenty-three (123),
 28 Code 1979, is amended by adding the following new
 29 section:

30 **NEW SECTION. THE RAFFLING OR AUCTIONING OF**
 31 **ALCOHOLIC LIQUOR OR BEER.** Notwithstanding any other
 32 provision of this chapter concerning liquor control
 33 licenses and beer permits, but subject to rules of
 34 the department, a nonprofit organization as defined
 35 under section two (2) of this Act, may raffle, auction
 36 or both raffle and auction alcoholic liquor purchased
 37 from the department, or beer, or both, without
 38 obtaining a liquor control license or beer permit.
 39 However, this section does not exempt a nonprofit
 40 organization from complying with applicable provisions
 41 of chapter ninety-nine B (99B) and section one hundred
 42 twenty-three point forty-seven (123.47) of the Code.

43 Sec. 7. Section one hundred twenty-three point
 44 twenty-one (123.21), subsection six (6), Code 1979,
 45 is amended to read as follows:

46 6. Providing for the ~~issuing~~ issuance and
 47 ~~distributing~~ distribution of price lists showing the
 48 price to be paid by purchasers for each brand, class,
 49 or variety of liquor kept for sale to be charged
 50 purchasers from the department, under this chapter.

Page 2

1 Provide for the filing or posting of prices between
 2 class "A" beer permit holders and retailers as provided
 3 in this chapter, and establish or control such prices
 4 as may be based on minimum standards of fill, quantity,
 5 or alcoholic content for each individual sale of
 6 intoxicating liquor or beer as deemed necessary for
 7 retail or consumer protection.

8 Sec. 8. Section five hundred forty-six A point
 9 eight (546A.8), Code 1979, is amended to read as
 10 follows:

11 **546A.8 EXEMPTIONS.** The provisions of this chapter
 12 shall not extend to the sale at public auction of
 13 livestock, farm machinery or farm produce or other
 14 items commonly sold at farm sales, or to auction sales
 15 of new merchandise which was assessed personal property
 16 tax or is replacement stock of merchandise inventory
 17 which was assessed personal property tax in the county
 18 in which the sale is to be had, and to auction sales
 19 under the direction of any court or court officers
 20 of such sales as may be required by law and shall
 21 not apply to the sale of alcoholic liquor, beer, or

22 both, as provided for in section four (4) of this
 23 Act.

24 Sec. 9. This Act, being deemed of immediate
 25 importance, shall take effect from and after its
 26 publication in the Telegraph Herald, a newspaper
 27 published in Dubuque, Iowa, and in The Cascade Pioneer-
 28 Advertiser, a newspaper published in Cascade, Iowa."

HANSON of Delaware
 WELSH of Dubuque

H—3986

1 Amend Senate File 278, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 2, after line 23, by inserting the following
 4 new section:

5 "Sec. . Section three hundred twenty-one point
 6 two hundred thirty-three (321.233), Code 1979, is
 7 amended by adding the following new unnumbered
 8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. The provisions of section
 10 three hundred twenty-one point one hundred seventy-
 11 four (321.174) of the Code requiring chauffeurs'
 12 licenses shall not apply to individuals operating
 13 road maintenance equipment as specified by the
 14 department while engaged in road maintenance work
 15 including the movement of the equipment to and from
 16 work."

17 2. Renumber sections and correct internal
 18 references as are necessary in accordance with this
 19 amendment.

MENKE of O'Brien

H—3987

1 Amend Senate File 264, as amended, passed and re-
 2 printed by the Senate, as follows:

3 1. Page 4, by striking line 35 and inserting in
 4 lieu thereof the words "designate direct that one
 5 dollar of such liability ~~to be paid over to~~".

6 2. Page 5, line 6, by striking the word "designate"
 7 and inserting in lieu thereof the words "designate
 8 direct".

9 3. Page 5, by striking line 12 and inserting in
 10 lieu thereof the words "that contributions made under
 11 this section be credited to a specified political".

12 4. Page 5, line 14, by striking the word "an"
 13 and inserting in lieu thereof the word "a".

14 5. Page 5, by striking lines 15 and 16 and
 15 inserting in lieu thereof the words "contribution
 16 to be shared by all such political parties in the
 17 manner prescribed by section fifty-six point nineteen
 18 (56.19) of the Code. The form shall inform the
 19 taxpayer that when an individual chooses the latter
 20 alternative his or her one dollar contribution is
 21 shared by all eligible political parties, but this
 22 information may be contained in a footnote or other
 23 suitable form if the director of revenue finds it
 24 is not feasible to place the information immediately
 25 above the signature line."

26 6. Page 5, line 28, by striking the word "fund,"
 27 and inserting in lieu thereof the word "fund."

28 7. Page 5, by striking lines 29 and 30 and
 29 inserting in lieu thereof the words "All contributions
 30 directed to the Iowa election campaign fund by
 31 taxpayers who do not designate any one political party
 32 to receive their contributions shall be divided by
 33 the director of revenue equally among each account".

34 8. Page 5, by striking line 33 and inserting in
 35 lieu thereof the words "contributions to the fund
 36 by taxpayers who do not designate any one political
 37 party to receive their contributions".

CRAWFORD of Story

H-3989

1 Amend Senate File 436 as passed by the Senate as
 2 follows:

3 1. Page 1, line 17, by inserting after the word
 4 "pollutant." the words "The director shall also suspend
 5 the permit or modify the permit to require that the
 6 payment of property taxes be given priority over other
 7 payments if the county auditor certifies to the director
 8 that the public water supply system is delinquent in the
 9 payment of property taxes."

DAVITT of Warren

H-3996

1 Amend the amendment, H-3867, to Senate File
 2 230 as follows:

3 1. Page 1, line 13, by striking the word "is"
 4 and by inserting in lieu thereof the words "shall be
 5 public record.".

6 2. Page 1, by striking lines 14 and 15.

CONLON of Muscatine

H-3998

1 Amend the Committee on Transportation amendment,
2 H-3745, to Senate File 278, as amended, passed and
3 reprinted by the Senate, as follows:

4 1. Page 1, by inserting before line 3 the
5 following:

6 "1. Page 1, by inserting before line 1 the
7 following:

8 "Section 1. Section sixty-eight A point seven
9 (68A.7), Code 1979, is amended by adding the following
10 new subsection:

11 **NEW SUBSECTION.** Reports, informations, citations
12 or warnings issued for traffic violations for exceeding
13 the legal speed limit by ten miles per hour or less
14 and court reports of convictions of a traffic violation
15 for exceeding the legal speed limit by ten miles per
16 hour or less." "

17 2. Page 1, by inserting after line 15 the
18 following:

19 "Sec. . Section three hundred twenty-one point
20 two hundred seven (321.207), Code 1979, is amended
21 to read as follows:

22 **321.207 RECORD FORWARDED.** Every court having
23 jurisdiction over offenses committed under this
24 chapter, or any other law of this state or any city
25 traffic ordinances, other than parking regulations,
26 regulating the operation of motor vehicles on highways,
27 shall forward to the department a record of the
28 conviction of any person in said court for a violation
29 of any said laws except violations of the legal speed
30 limit by ten miles per hour or less, and may recommend
31 the suspension of the operator's or chauffeur's license
32 of the person so convicted, and the department shall
33 thereupon consider and act upon such recommendation
34 in such manner as may seem to it best."

35 3. Page 1, by inserting after line 21 the
36 following:

37 "Sec. . Section three hundred twenty-one point
38 two hundred ten (321.210), Code 1979, is amended by
39 adding the following new unnumbered paragraph:

40 **NEW UNNUMBERED PARAGRAPH.** In determining the
41 suspension or the length of suspension of an operator's
42 or chauffeur's license, the department shall not
43 assess points for nor take into consideration a
44 speeding violation of ten miles per hour or less over
45 the legal speed limit."

46 4. Page 4, by inserting after line 9 the following:

47 " . Amend the title, line 8, by inserting after
48 the word "violations," the words "by prohibiting
49 consideration of a speeding violation of ten miles
50 per hour or less over the legal speed limit in

Page 2

- 1 suspending an operator's or chauffeur's license, by
- 2 providing confidentiality of public records of a
- 3 speeding violation of ten miles per hour or less over
- 4 the legal speed limit.”
- 5 5. By renumbering sections and correcting internal
- 6 references as necessary.

HORN of Linn

H-4000

- 1 Amend Senate File 447, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 1, by inserting after the
- 4 word “borne” the words “equally by the county and”.

THOMPSON of Polk
SMALLEY of Polk

H-4008

- 1 Amend Senate File 278, as amended, passed and
- 2 reprinted, by the Senate, as follows:
- 3 1. Page 2, by inserting after line 35, the
- 4 following:
- 5 “a. Manslaughter resulting from the operation of
- 6 a motor vehicle.
- 7 b. Driving a motor vehicle while under the
- 8 influence of an alcoholic beverage or a controlled
- 9 substance as defined in section 204.101.
- 10 c. Driving a motor vehicle while operator's
- 11 or chauffeur's license is suspended or revoked.
- 12 d. Perjury or the making of a false affidavit
- 13 or statement under oath to the department of
- 14 public safety.
- 15 e. An offense punishable as a felony under
- 16 the motor vehicle laws of Iowa or any felony in
- 17 the commission of which a motor vehicle is used.
- 18 f. Failure to stop and leave information or to
- 19 render aid as required by section 321.263.
- 20 g. A violation of the traffic laws, except
- 21 parking regulations, committed during a period of
- 22 suspension or revocation.”

CONLON of Muscatine

H-4009

- 1 Amend Senate File 447 as amended, passed and
- 2 reprinted by the Senate as follows:

- 3 1. Page 3, by inserting after line 3 the following:
 4 "Sec. 3. Chapter four hundred seventy-nine (479),
 5 Code 1979, is amended by adding the following new
 6 section:
 7 **NEW SECTION. PRESUMPTION.** In case of injury to
 8 a person or property by a pipeline, negligence shall
 9 be presumed on the part of the person or corporation
 10 operating the pipeline in causing the injury, but
 11 the presumption may be rebutted. The presumption
 12 does not exist in favor of employees of the person
 13 or corporation operating the pipeline who are charged
 14 with or engaged in the construction, reconstruction,
 15 repair, or maintenance of the pipeline, unless
 16 otherwise provided by the employers liability and
 17 workers' compensation laws of the state."
 18 2. By renumbering the sections to conform with
 19 this amendment.

HOWELL of Floyd

H-4013

- 1 Amend House File 738 as follows:
 2 1. Page 15, by inserting after line 10 the
 3 following new section:
 4 *Sec. . It is the intent of the general assembly
 5 that the state department of transportation shall
 6 not reduce the amount of lighting provided on the
 7 primary road system and the primary road freeway
 8 system within the corporate boundaries of cities below
 9 the level of lighting provided on January 1, 1979.
 10 The light poles shall not be removed or the lighting
 11 systems turned off to reduce the amount of lighting
 12 provided on the primary road system and the primary
 13 road freeway system within the corporate boundaries
 14 of cities."
 15 2. Renumber sections and correct internal
 16 references as may be necessary in accordance with
 17 this amendment.

O'KANE of Woodbury

H-4015

- 1 Amend Senate File 401, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 5, by inserting after the word
 4 "dollars" the words "except that in the case of hunt-
 5 ing or taking a deer without a license, the scheduled
 6 fine is fifty dollars".

O'KANE of Woodbury

H-4018

- 1 Amend Senate File 447 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 3, by inserting after line 7 the following:
4 "Sec. 4. Section four hundred seventy-nine point
5 eight (479.8), Code 1979, is amended to read as
6 follows:
7 479.8 TIME AND PLACE ~~Said~~ The hearing shall
8 not be less than ten days nor more than thirty days
9 from the date of the last publication and shall be
10 held in the office of said state commerce commission,
11 or such place as the commission shall designate at
12 a location central to affected landowners, and within
13 a reasonable distance of the route of the proposed
14 line."
15 2. By renumbering the sections to conform with
16 this amendment.

HINKHOUSE of Cedar

H-4019

- 1 Amend Senate File 447, as amended, passed and
2 reprinted by the Senate:
3 1. Page 3, by inserting after line 7 the
4 following:
5 "Sec. 4. Section four hundred seventy-nine point
6 six (479.6), Code 1979, is amended by adding the
7 following new subsection:
8 **NEW SUBSECTION.** An environmental impact statement
9 for the proposed route of the line or the underground
10 storage facilities."

MILLER of Buchanan
HUMMEL of Benton

H-4020

- 1 Amend Senate File 447, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 24 the
4 following:
5 "7. An inspector may order a halt to the
6 construction of a pipeline during adverse weather
7 conditions when continued construction would
8 endanger the safety of the pipeline construction or
9 the integrity of underground improvements affected
10 by the pipeline construction."

AVENSON of Fayette

H-4021

- 1 Amend Senate File 447, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 26, by striking the word
 4 "section" and inserting in lieu thereof the word
 5 "sections".
 6 2. Page 3, by inserting after line 3 the
 7 following:
 8 "NEW SECTION. A pipeline company when acquiring
 9 an easement for construction of the pipeline shall
 10 acquire an easement of at least one hundred twenty-
 11 five feet in width measured at right angles to the
 12 route of the pipeline. This section does not apply
 13 to easements acquired to operate or maintain a
 14 pipeline."

AVENSON of Fayette

H-4023

- 1 Amend Senate File 447 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 25, by inserting after the word
 4 "petition." the words "Prior to the adoption of a
 5 rule under this section, the commission shall submit
 6 the proposed rule to the departments of soil
 7 conservation for its comments on the proposed rule."

DAVITT of Warren

H-4025

- 1 Amend Senate File 185 as follows:
 2 1. Page 1, line 15, by inserting after the
 3 word "and" the word "in"
 4 2. Page 1, line 21, by striking the word
 5 "semiannual" and inserting in lieu thereof the
 6 word "annual".

GROTH of Buena Vista

H-4026

- 1 Amend Senate File 447 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by striking lines 31 and 32 and
 4 inserting in lieu thereof the words "maintain and
 5 operate its pipeline and with the consent of the
 6 landowner as defined".
 7 2. Page 2, by striking line 35 through page 3,
 8 line 2, and inserting in lieu thereof the words
 9 "the land. The pipeline company shall pay the
 10 actual damages".

HOWELL of Floyd

H—4028

1 Amend Senate File 185 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. NEW SECTION. The interest of the
5 permanent school fund shall be appropriated by the
6 general assembly subject to the limitations of
7 division two (2) of Article IX of the constitution
8 of the state of Iowa.

9 Sec. 2. Section two hundred ninety-eight point
10 eleven (298.11), unnumbered paragraphs one (1), and
11 two (2), Code 1979, are amended to read as follows:

12 The county auditor shall, on the first Monday in
13 April and the first Monday in October of each year,
14 apportion the school tax, together with the interest
15 of the permanent school fund and rents on unsold
16 school lands to which the county is entitled
17 as shown in notice from the state comptroller, and
18 all other money in the hands of the county treas-
19 urer belonging in common to the schools of the county
20 and not included in any a previous apportionment,
21 among the several corporations therein in the county,
22 in proportion to the number of persons of school age,
23 as shown by the reports filed with the state depart-
24 ment of public instruction for the year immediately
25 preceding.

26 He or she shall immediately notify the county
27 treasurer of such apportionment and of the amount
28 due thereby to each corporation.

29 Sec. 3. Section three hundred two point one
30 (302.1), subsection one (1), Code 1979, is amended
31 to read as follows:

32 1. Five percent of the net proceeds of the public
33 lands of the state, which shall be paid to the state
34 treasurer and be apportioned by the state comp-
35 troller among the several counties.

36 Sec. 4. Paragraph nine (9) of section eight point
37 six (8.6), and sections two hundred ninety-two point
38 one (292.1), two hundred ninety-two point two (292.2),
39 two hundred ninety-eight point twelve (298.12),
40 three hundred two point thirteen (302.13), three
41 hundred thirty-three point eight (333.8), Code 1979,
42 are repealed.

43 Sec. 5. This Act is effective January first
44 following its enactment."

JESSE of Polk

H—4039

- 1 Amend Senate File 485 as follows:
 2 1. Page 13, by inserting after line 5 the
 3 following:
 4 "Funds appropriated to the State University of
 5 Iowa under this paragraph (a) of this section are
 6 subject to a football game being scheduled annually
 7 between the varsity football team of the State
 8 University of Iowa and the varsity football team of
 9 the Iowa State University of Science and Technology
 10 as part of the intercollegiate athletic competition
 11 schedule of each university. The game shall be
 12 scheduled in Ames, Iowa during odd-numbered calendar years
 13 and in Iowa City, Iowa during even-numbered calendar years."
 14 2. Page 14, by inserting after line 12 the
 15 following:
 16 "Funds appropriated to the Iowa State University
 17 of Science and Technology under this paragraph (a) of
 18 this section are subject to a football game being
 19 scheduled annually between the varsity football team
 20 and the varsity football team of the State University
 21 of Iowa as part of the intercollegiate athletic
 22 competition schedule of each university. The game
 23 shall be scheduled in Ames, Iowa during odd-numbered
 24 calendar years and Iowa City, Iowa during even-numbered
 25 calendar years."

CRABB of Crawford
 GETTINGS of Wapello
 CONNORS of Polk
 JOHNSON of Woodbury
 SHULL of Warren
 HOWELL of Floyd
 MAULSBY of Calhoun
 DAVITT of Warren
 LAGESCHULTE of Bremer
 BINNEBOESE of Plymouth
 LURA of Marshall
 HANSON of Delaware
 HALVORSON of Webster
 BINA of Scott
 SHERZAN of Polk
 ARNOULD of Scott
 OXLEY of Linn
 JAY of Appanoose
 COCHRAN of Webster
 DIELEMAN of Marion
 WOODS of Polk
 SWEARINGEN of Keokuk
 VAN MAANEN of Mahaska
 TYRRELL of Iowa
 CHIODO of Polk
 HOLT of Clay

GROTH of Buena Vista
 ANDERSON of Audubon
 BRANSTAD of Winnebago
 O'KANE of Woodbury
 HUSAK of Tama
 DIEMER of Black Hawk
 WELSH of Dubuque
 RAPP of Black Hawk
 HALL of Linn
 HORN of Linn
 HINKHOUSE of Cedar
 HULLINGER of Decatur
 DAGGETT of Taylor
 CONLON of Muscatine
 DOYLE of Woodbury
 LARSEN of Wapello
 KIRKENSLAGER of Des Moines
 MULLINS of Kossuth
 JESSE of Polk
 COREY of Louisa
 PELLETT of Cass
 SCHROEDER of Pottawattamie
 ANDERSON of Jasper
 HARBOR of Mills
 AVENSON of Fayette
 CLARK of Cerro Gordo

H-4041

- 1 Amend the Senate amendment, H-3992, to House
- 2 File 647 as follows:
- 3 1. Page 1, line 23, by striking the word
- 4 "pay".

SPEAR of Lee

H-4042

- 1 Amend the Senate amendment, H-3992, to House
- 2 File 647 as follows:
- 3 1. Page 1, by striking lines 10 through 19.

SPEAR of Lee

H-4053

- 1 Amend amendment H-3887 to House File 738 as
- 2 follows:
- 3 1. Page 1, by inserting after line 24 the
- 4 following new subsection:
- 5 " . For the construc-
- 6 tion of an overpass within the
- 7 corporate limits of the city of
- 8 Perry on Iowa highway one
- 9 hundred forty-four where the
- 10 highway intersects with and is
- 11 crossed by the tracks of the
- 12 Milwaukee Road railway to
- 13 permit the unrestricted movement
- 14 of motor vehicle traffic on
- 15 Iowa highway one hundred
- 16 forty-four \$500,000".

POFFENBERGER of Dallas

H-4058

- 1 Amend the Perkins amendment, H-4046 , to House File
- 2 734 as follows:
- 3 1. Page 1, by inserting after line 48 the
- 4 following:
- 5 "Sec. 22. Section four hundred twenty-six point
- 6 one (426.1), Code 1979, is amended to read as follows:
- 7 426.1 AGRICULTURAL LAND CREDIT FUND. There is
- 8 hereby created as a permanent fund in the office of
- 9 the treasurer of state a fund to be known as the
- 10 agricultural land credit fund, and for the purpose
- 11 of establishing and maintaining said fund for each
- 12 fiscal year there is appropriated thereto from funds
- 13 in the general fund not otherwise appropriated the

14 sum of forty-two million dollars. Any balance in
 15 said fund on June ~~30~~ thirtieth shall revert to the
 16 general fund except that part of the balance which
 17 is attributable to moneys which the comptroller is
 18 prohibited from withdrawing for the coming fiscal
 19 year under section twenty-three (23) of this Act and
 20 which moneys shall not revert.

21 Sec. 23. Section four hundred twenty-six point
 22 seven (426.7), Code 1979, is amended to read as
 23 follows:

24 426.7 WARRANTS DRAWN BY COMPTROLLER. After
 25 receiving from the several county auditors of the
 26 state the certifications provided for in section
 27 426.6, and during the following fiscal year, the state
 28 comptroller shall draw warrants on the agricultural
 29 land credits fund created by this chapter, payable
 30 to the county treasurers of the several counties of
 31 the state in the total amount certified by the county
 32 auditors of the respective counties and mail said
 33 warrants to the county auditors of said counties in
 34 two equal payments on or before September 15 fifteenth
 35 and March 15 fifteenth of each fiscal year, provided
 36 that in the event the agricultural land credits fund
 37 is insufficient to pay in full the total of the amounts
 38 certified to the state comptroller on the first of
 39 June, the state comptroller shall prorate the fund
 40 to the several county treasurers and notify the several
 41 county auditors of the pro rata percentage on or
 42 before August 1 first. However, the state comptroller
 43 shall not pay to the county treasurer or withdraw
 44 from the agricultural land credits fund for the coming
 45 fiscal year the amount of the agricultural land tax
 46 credit certified under section four hundred twenty-
 47 six point six (426.6) of the Code for the coming
 48 fiscal year which the county auditor has disallowed
 49 under the provisions of section twenty (20) of this
 50 Act."

NORLAND of Worth
 PERKINS of Greene

H-4059

1 Amend the Committee on Transportation amendment,
 2 H-3745, to Senate File 278, as amended, passed and
 3 reprinted by the Senate, as follows:

4 1. Page 1, by inserting after line 15 the
 5 following:

6 "Sec. . Section three hundred twenty-one point
 7 two hundred seven (321.207), Code 1979, is amended
 8 to read as follows:

9 321.207 RECORD FORWARDED. Every court having

10 jurisdiction over offenses committed under this
11 chapter, or any other law of this state or any city
12 traffic ordinances, other than parking regulations,
13 regulating the operation of motor vehicles on highways,
14 shall forward to the department a record of the
15 conviction of any person in said court for a violation
16 of any said laws except violations of the legal speed
17 limit by less than ten miles per hour, and may
18 recommend the suspension of the operator's or
19 chauffeur's license of the person so convicted, and
20 the department shall thereupon consider and act upon
21 such recommendation in such manner as may seem to
22 it best."

23 2. Page 1, by inserting after line 21 the
24 following:

25 "Sec. . Section three hundred twenty-one point
26 two hundred ten (321.210), Code 1979, is amended by
27 adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. In determining the
29 suspension or the length of suspension of an operator's
30 or chauffeur's license, the department shall not
31 assess points for nor take into consideration a
32 speeding violation of less than ten miles per hour
33 over the legal speed limit."

34 3. By renumbering sections and correcting internal
35 references as necessary.

LIND of Black Hawk
HORN of Linn

H-4067

1 Amend amendment H-4038, to page 3 of House File
2 734, as follows:

3 1. Page 1, by striking lines 4 through 13 and
4 inserting in lieu thereof the following:

5 "Sec. 3. A grain dealer shall be in compliance
6 with the rule established by the secretary of
7 agriculture under subsection ten (10) of section
8 one hundred fifty-nine point five (159.5) of the
9 Code, not later than July 1, 1980.

10 "Sec. 4. Section one hundred fifty-nine point
11 five (159.5), subsection ten (10), Code 1979, is
12 amended to read as follows:

13 10. Approve all methods of probing for foreign
14 material content of any type of grain. The pro-
15 visions of this subsection and the rules adopted
16 hereunder shall be administered and enforced by the
17 department. Any person who violates any provision
18 of this subsection or any rule adopted hereunder
19 shall be guilty of a simple misdemeanor."

DAGGETT of Taylor
MULLINS of Kossuth

H-4068

1 Amend amendment H-3887 to House File 738 as
2 follows:

3 1. Page 1, by inserting after line 3 the
4 following:

5 " For the construc-
6 tion of an overpass within the
7 corporate limits of the city of
8 Burlington on central avenue
9 where the avenue intersects with
10 and is crossed by the tracks of
11 the Burlington Northern, Incor-
12 porated, railway to permit the
13 unrestricted movement of
14 vehicle traffic on central

15 avenue\$8,000,000 \$ "

KIRKENSLAGER of Des Moines

H-4071

1 Amend House File 734 as follows:

2 1. Page 11, line 8, by striking the word
3 "fifteen" and inserting in lieu thereof the word
4 "twenty-five".

KIRKENSLAGER of Des Moines
TYRRELL of Iowa
BYERLY of Polk

H-4083

1 Amend the Senate amendment, H-4031, to House
2 File 719 as follows:

3 1. Page 1, by striking lines 3 and 4.
4 2. Page 1, by striking lines 5 through 7.

PERKINS of Greene

H-4088

1 Amend House File 738 as follows:

2 1. Page 15, by inserting before line 10 the
3 following new section:

4 "Sec. . . . Section three hundred twenty-one point
5 one (321.1), subsection sixteen (16), unnumbered para-
6 graph two (2), Code 1979, is amended to read as
7 follows:

8 All self-propelled machinery operated at speeds
 9 of less than thirty miles per hour, specifically
 10 designed for, or especially adapted to be capable
 11 of, incidental over-the-road and primary off-road
 12 usage, and used exclusively for the application of
 13 plant food materials, agricultural limestone or
 14 agricultural chemicals, and not specifically designed
 15 or intended for transportation of agricultural
 16 limestone and such chemicals and materials. Such
 17 machinery shall be operated in compliance with the
 18 load limits and within the tire sizes specified in
 19 section 321-463 three hundred twenty-one E point seven
 20 (321E.7) of the Code."

21 2. Renumber sections and correct internal
 22 references as are necessary in accordance with this
 23 amendment.

BENNETT of Ida

H-4089

1 Amend House File 738 as follows:

2 1. Page 11, by striking line 25 and inserting
 3 in lieu thereof the following:

4 "ment airplane \$ 120,000".

JAY of Appanoose
 WALTER of Pottawattamie
 PATCHETT of Johnson
 GETTINGS of Wapello

H-4090

1 Amend House File 742 as follows:

- 2 1. Page 2, by striking lines 12 through 35.
- 3 2. Page 3, by striking lines 1 through 8.
- 4 3. By renumbering the remaining subsections.

ARNOULD of Scott

H-4093

1 Amend House File 742 as follows:

2 1. Page 6, by inserting after line 30 the following
 3 new sections:

4 "Sec.

5 1. For the fiscal biennium beginning July 1, 1979
 6 and ending June 30, 1981, there is appropriated from
 7 the general fund of the state to the office for
 8 planning and programming for use by youth services
 9 in the division of manpower, the amount of one hundred

10 fifty thousand (150,000) dollars for the fiscal year
11 1979-1980 and the amount of two hundred fifty thousand
12 (250,000) dollars for the fiscal year 1980-1981, or
13 so much thereof as is necessary, for the purpose of
14 carrying out the juvenile victim restitution program
15 created by this Act.

16 2. The office for planning and programming shall
17 contract to provide administrative services in carrying
18 out the juvenile victim restitution program. Not
19 more than twenty thousand (20,000) dollars may be
20 paid for the fiscal year beginning July 1, 1979, and
21 not more than twenty-five thousand (25,000) dollars
22 may be paid for the fiscal year beginning July 1,
23 1980, for the purpose of providing administrative
24 services. The office for planning and programming
25 shall not expend any additional funds appropriated
26 by this Act for administration of the juvenile victim
27 restitution program.

28 3. After deducting funds provided in subsection
29 two (2) of this section for administrative services,
30 the remaining funds shall be available for the salaries
31 of juveniles in each judicial district based upon
32 a percentage determined by dividing the per capita
33 population of the judicial district by the total per
34 capita population of the state. Within each judicial
35 district the funds shall be available to each juvenile
36 probationary district on a per capita basis.
37 Notwithstanding section eight point thirty-three
38 (8.33) of the Code, unobligated or unencumbered funds
39 appropriated by this Act remaining on June 30, 1979
40 may be carried forward and be available for expenditure
41 in the fiscal year beginning July 1, 1980.

42 Sec.

43 1. There is created a juvenile victim restitution
44 program which shall be funded through funds
45 appropriated by the general assembly to the office
46 for planning and programming. The primary purpose
47 of the program is to provide funds to compensate
48 victims for losses due to the delinquent acts of
49 juveniles.

50 2. If a judge of a juvenile court finds that a

Page 2

1 juvenile has committed a delinquent act and requires
2 the juvenile to compensate the victim of that act
3 for losses due to the delinquent act of the juvenile,
4 or if a juvenile enters into an informal adjustment
5 agreement pursuant to section two hundred thirty-two
6 point twenty-nine (232.29) of the Code to make such
7 restitution, the juvenile shall make such restitution
8 according to a schedule established by the judge from

9 funds earned by the juvenile pursuant to employment
 10 engaged in by the juvenile at the time of disposition.
 11 The restitution shall be made under the direction
 12 of a probation officer working under the direction
 13 of the juvenile court. However, if the juvenile
 14 offender does not have employment at the time of
 15 disposition, the judge may direct the juvenile offender
 16 to perform work pursuant to section two hundred thirty-
 17 two point fifty-two (232.52), subsection two (2),
 18 paragraph a of the Code, and arrange for compensation
 19 of the juvenile in the manner provided in subsection
 20 three (3) of this section.

21 3. The contract for administrative services shall
 22 provide payroll services in carrying out the payment
 23 of juvenile offenders who are required to provide
 24 restitution to victims of their acts as provided in
 25 subsection two (2) of this section and who are ordered
 26 to perform public service work pursuant to section
 27 two hundred thirty-two point fifty-two (232.52),
 28 subsection two (2), paragraph a of the Code. The
 29 probation officer responsible for a juvenile offender
 30 shall maintain time sheets and other documents
 31 necessary to determine and process the payment of
 32 juvenile offenders. Remuneration for the services
 33 provided by the juvenile offender in a public service
 34 job shall be made on the basis of a wage payment and
 35 by check, with the juvenile offender listed as the
 36 payee. However, the check shall be mailed to the
 37 juvenile's probation officer. The juvenile offender
 38 shall pay the victim of his or her delinquent acts
 39 seventy-five percent of each payment and twenty-five
 40 percent of the payment shall be retained by the
 41 juvenile. This same percentage shall apply to the
 42 juvenile offender who is employed at the time of
 43 disposition. The payment of the percentages provided
 44 in this subsection is required in order to engage
 45 in the juvenile victim restitution program."

46 2. By renumbering sections and correcting internal
 47 references as necessary pursuant to this amendment.

LAGESCHULTE of Bremer
 DIELEMAN of Marion
 JOHNSON of Howard
 CRABB of Crawford
 HIBBS of Johnson
 WELSH of Dubuque
 MULLINS of Kossuth

LORENZEN of Scott
 SHERZAN of Polk
 WELLS of Linn
 POPE of Polk
 ARNOULD of Scott
 GROTH of Buena Vista

H-4094

- 1 Amend amendment H-4066 to page 15 of House
- 2 File 738 as follows:
- 3 1. Page 1, line 12, by inserting after the
- 4 word "county" the words ", and a primary road
- 5 may not be reclassified as a part of the municipal
- 6 street system without the prior approval of the
- 7 city council of the affected municipality".

PERKINS of Greene

H-4102

- 1 Amend Senate File 485 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 13, by striking line 22 and inserting in
- 4 lieu thereof the following:
- 5 "public patients.....\$4,104,500 \$4,234,500".

HORN of Linn
 PATCHETT of Johnson
 CONNOLLY of Dubuque
 HALL of Linn
 LLOYD-JONES of Johnson

H-4110

- 1 Amend the Lageschulte amendment, H-4093, to House
- 2 File 742 as follows:
- 3 1. Page 2, line 13, by inserting after the word
- 4 "court." the words "If the juvenile is not employed,
- 5 the juvenile's probation officer shall make a
- 6 reasonable effort to find private employment for the
- 7 juvenile."
- 8 2. Page 2, line 15, by inserting after the word
- 9 "disposition" the words "and private employment is
- 10 not obtained despite the efforts of the juvenile's
- 11 probation officer".

MILLER of Buchanan

H-4111

- 1 Amend House File 742 as follows:
- 2 1. Page 16, by inserting after line 18 the
- 3 following:
- 4 "Funds appropriated by this paragraph shall not
- 5 be available and expended until there is compliance
- 6 with subparagraph one (1) of paragraph d of subsection
- 7 one (1) of section one (1) of chapter one thousand
- 8 ten (1010), Acts of the Sixty-seventh General Assembly,

9 1978 Session. Compliance with subparagraph two (2)
10 of paragraph d of subsection one (1) of section one
11 (1) of chapter one thousand ten (1010), Acts of the
12 Sixty-seventh General Assembly, 1978 Session, shall
13 be made by specifying in the contract for modernization
14 of the south elevator the condition required."

JOHNSON of Linn
SCHROEDER of Pottawattamie

H-4123

1 Amend amendment H-4113 to House File 742 as
2 follows:
3 1. Page 1, line 8, by striking the words
4 "except the state board of regents,".
5 2. Page 1, lines 24 and 25, by striking the
6 words ", except the state board of regents,".

JOHNSON of Howard

H-4125

1 Amend amendment H-4106 to House File 742 as
2 follows:
3 1. Page 1, by striking lines 15 through 35
4 and inserting in lieu thereof the following:
5 "federal agencies and courts. For purposes
6 of section two".

BRUNER of Story

H-4126

1 Amend the Howell et al. amendment H-4113 to House
2 File 742 as follows:
3 1. Page 1, line 14, by inserting after the word
4 "section." the words "Employees and officials who
5 participate in carpools shall pay a lower parking
6 fee than employees and officials using the same parking
7 facilities who are not in a carpool."

HOWELL of Floyd

H-4133

1 Amend the Senate amendment, H-4051, to House File
2 671 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 2, lines 29 and 30, by striking the words
5 "excluding feeder cattle loans".
6 2. Page 3, by striking lines 25 through 30 and

7 inserting in lieu thereof the following:
 8 "4 d. Accept title to any property so purchased
 9 or acquired; operate or lease such property for such
 10 period as may be deemed necessary to protect the
 11 investment therein and sell or otherwise dispose of
 12 such property in a manner consistent with the
 13 provisions of this division, and operate or lease
 14 the property for no more than one year after clear
 15 title to the property is acquired, during which time
 16 the property shall be sold at public auction to the
 17 highest bidder. Notwithstanding the exemption for
 18 state property under section four hundred twenty-seven
 19 point one (427.1) of the Code, property so acquired
 20 or purchased shall remain subject to taxation in the
 21 same manner as other taxable property and the secretary
 22 of agriculture of Iowa shall pay any taxes due to
 23 taxing districts of this state as they become due
 24 until the property is sold at auction. Taxes shall
 25 be paid from the proceeds of sale of the property
 26 or from other moneys in the revolving fund established
 27 under subsection one (1) of this section."

MILLER of Buchanan

H-4138

1 Amend the Howell et al amendment H-4113 to House
 2 File 742 as follows:
 3 1. Page 1, by striking lines 28 through 30 and in-
 4 sserting in lieu thereof the words "in the capital im-
 5 provements fund which is created in the general fund
 6 of the state. Moneys in the capital improvements fund
 7 are appropriated to the capital planning commission
 8 and shall only be expended for administration,
 9 maintenance, improvements, and construction of under-
 10 ground parking within the capitol complex and for
 11 aesthetic enhancement of the capitol complex."

LLOYD-JONES of Johnson

H-4140

1 Amend amendment H-4135, to the Senate amendment,
 2 H-4029, to House File 725 as amended, passed and
 3 reprinted by the House, as follows:
 4 1. Page 1, line 21, by striking the word "forty"
 5 and inserting in lieu thereof the word "sixty".

SPEAR of Lee

H-4158

- 1 Amend amendment H-4151, to Senate File 487 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 5.
- 5 2. Page 1, by striking lines 10 through 19
- 6 and inserting in lieu thereof the following:
- 7 "section, no magazine shall be issued which includes
- 8 editorial comment on current public issues which
- 9 are or may reasonably be expected to be before the
- 10 general assembly for determination."

SPEAR of Lee

H-4161

- 1 Amend the Senate amendment, H-4141, to House File
- 2 687 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 2, by inserting after line 36, the words
- 5 "d. An official, employee, member of the general
- 6 assembly or legislative employee shall not accept a
- 7 gift in excess of two dollars in value while
- 8 receiving actual and necessary expenses from the
- 9 state government."

LURA of Marshall

H-4165

- 1 Amend the Crabb et al amendment, H-4039, to Senate
- 2 File 485, as amended and passed by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 25 the
- 5 following:
- 6 " . Page 14, by inserting after line 28 the
- 7 following:
- 8 "Funds appropriated to the university of northern
- 9 Iowa under this paragraph are subject to the scheduling
- 10 and playing of a football game between the varsity
- 11 football team of the university of northern Iowa and
- 12 a football team composed of varsity football players
- 13 from the private colleges and universities in Iowa
- 14 selected by a committee composed of the governor,
- 15 the attorney general, and the treasurer of state of
- 16 this state. The football game shall be played during
- 17 an extended halftime of the football game between
- 18 Iowa state university of science and technology and
- 19 the state university of Iowa." "

HORN of Linn

H-4169

1 Amend the Senate amendment, H-4146, to House File
 2 2 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 7 and 8 and inserting
 5 in lieu thereof the following:
 6 " Page 2, by striking lines 9 through 11 and
 7 inserting in lieu thereof the following: "thousand
 8 dollars, and one percent per month on any part of
 9 the unpaid principal balance of the loan in excess
 10 of seven hundred dollars." "

RAPP of Black Hawk

• H-4173

1 Amend Senate File 264 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 5, by striking line 15 and inserting in
 4 lieu thereof the words "undesignated contribution
 5 to be divided among all such political parties in
 6 the manner prescribed by section fifty-six point
 7 nineteen (56.19) of the Code, or to any nonparty
 8 political organization designated by the taxpayer
 9 which is eligible under this section to".
 10 2. Page 5, by inserting after line 16 the
 11 following:
 12 "1. A nonparty political organization is eligible
 13 to receive contributions under this section if it
 14 has both:
 15 a. Filed in the office of the state commissioner,
 16 at the time and in the manner required by chapter
 17 forty-four (44) of the Code, the nomination of at
 18 least one candidate for an office to be filled at
 19 the most recent general election.
 20 b. Since filing the nomination referred to in
 21 subsection one (1) of this section, filed with the
 22 commission periodic disclosure reports at the time
 23 and in the manner required by section fifty-six point
 24 six (56.6) of the Code.
 25 2. The executive secretary of the commission
 26 shall, at the latest date he or she and the director
 27 of revenue conclude is practicable, provide to the
 28 director a list of each nonparty political organization
 29 which is eligible to receive checkoff funds under
 30 this section. The director of revenue shall enclose
 31 a copy of the list with the material provided by the
 32 department of revenue to persons who it is anticipated
 33 will file Iowa individual income tax returns. That
 34 material shall include instructions, in reasonable
 35 detail, explaining the manner and effect of indicating

36 a contribution to the Iowa election campaign fund
 37 when completing an Iowa individual income tax return."
 38 3. Page 5, line 25, by inserting after the word
 39 "Code" the words ", and for each eligible nonparty
 40 political organization to which funds are contributed
 41 under section fifty-six point eighteen (56.18) of
 42 the Code".
 43 4. Page 5, line 31, by inserting after the word
 44 "fund" the words "for a political party".
 45 5. Page 5, line 32, by inserting after the word
 46 "two" the word "such".
 47 6. Page 6, line 9, by inserting after the period
 48 the words "Funds designated to a nonparty political
 49 organization under section fifty-six point eighteen
 50 (56.18) of the Code shall be remitted to and used

Page 2

1 by the nonparty political organization so designated,
 2 in the same manner and for the same purposes as
 3 provided for political parties under sections fifty-
 4 six point twenty (56.20) through fifty-six point
 5 twenty-four (56.24) of the Code."
 6 7. Page 6, line 18, by striking the word "either".
 7 8. Page 6, line 19, by striking the words "or
 8 be" and inserting in lieu thereof the word ", be".
 9 9. Page 6, line 21, by inserting after the word
 10 "Code" the words ", or go to a nonparty political
 11 organization which is eligible under section fifty-
 12 six point eighteen (56.18), subsection two (2) of
 13 the Code and is designated by the taxpayer to receive
 14 the contribution".

BRUNER of Story

H-4174

1 Amend the amendment, H-3687, to House File 731
 2 as follows:
 3 1. Page 1, by striking lines 7 through 20 and
 4 inserting in lieu thereof the following:
 5 "NEW SUBSECTION. If a creditor in a consumer
 6 credit transaction commences an action for money
 7 judgment prior to giving the consumer notice of right
 8 to cure as required by this section, the court shall
 9 not have jurisdiction, and the action shall be
 10 dismissed. If the action was commenced as a small
 11 claim under chapter six hundred thirty-one (631) of
 12 the Code, the creditor shall not be in violation of
 13 this section for purposes of section five hundred
 14 thirty-seven point five thousand two hundred one
 15 (537.5201) of the Code, and the penalty provided in
 16 that section shall not apply to the creditor."

BRUNER of Story

H-4177

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 7 the following:
5 "NEW SUBSECTION. "Lobbying" means the practice
6 of promoting or opposing the introduction or enactment
7 of legislative bills or resolutions.

8 NEW SUBSECTION. "Lobbyist" means a person who
9 engages in the practice of lobbying for compensation,
10 including, but not limited to, a person who is paid
11 a regular salary or retainer and whose duties include
12 lobbying. "Lobbyist" does not include:

13 a. A member of the general assembly.
14 b. A person who limits his or her lobbying to
15 writing letters, furnishing written material or
16 appearing before committees of the general assembly."

17 2. Page 1, by inserting after line 41 the
18 following:

19 "Sec. 7. NEW SECTION. REGISTRATION OF LOBBYISTS.

20 1. Every lobbyist, before commencing any lobbying
21 activity, shall register with the chief clerk of the
22 house and the secretary of the senate. The chief
23 clerk of the house and the secretary of the senate
24 shall each prescribe forms for the registration of
25 lobbyists which shall be approved by the ethics
26 committee of their particular house. The registration
27 form shall be signed by the lobbyist and shall include,
28 but not be limited to, the following:

29 a. The name, address and telephone number of the
30 individual, company, firm, corporation, union,
31 association or cause for whom the lobbyist intends
32 to act.

33 b. The name, permanent business and residential
34 addresses, temporary business and residential addresses
35 during the legislative session, and telephone number
36 of the lobbyist.

37 c. The general subjects of legislation in which
38 the lobbyist is or may be interested.

39 d. The file numbers of bills and resolutions in
40 reference to which the lobbyist intends to act, if
41 known. If known, the lobbyist shall state whether
42 he or she will lobby for or against the bill or
43 resolution.

44 e. A statement that no compensation will be paid
45 to or received by the lobbyist contingent upon passage
46 or defeat of a bill or resolution.

47 2. All information filed under this section and
48 section eight (8) of this Act shall be a public record
49 and open to public inspection at any reasonable time.

50 Sec. 8. NEW SECTION. LOBBYIST REPORT. Every

Page 2

1 registered lobbyist shall file a report with the chief
2 clerk of the house and the secretary of the senate
3 within fifteen days after the end of each calendar
4 year. The report shall include, but not be limited
5 to, the following:

6 1. A statement of all money expended on each
7 member of the general assembly in connection with
8 carrying out lobbying activities, including subtotals
9 for the payment of any bills for food and refreshments,
10 entertainment, transportation, and other services
11 where members of the general assembly were included
12 in the group for which or by which such bills were
13 incurred.

14 2. All amounts received directly or indirectly
15 for the purpose of carrying on lobbying activities,
16 including amounts which are reportable as income for
17 state income tax purposes if the lobbyist's contract
18 for employment provides that amounts received for
19 such expenses or as such income may or shall be used
20 for carrying on lobbying activities.

21 The chief clerk of the house and the secretary
22 of the senate shall refer all such reports to the
23 ethics committee of their respective house. The
24 ethics committees may require the lobbyist to furnish
25 additional details with respect to the matters which
26 are or should be included in the reports.

27 Sec. 9. NEW SECTION. CANCELLATION OF REGISTRATION.

28 The ethics committee of either house may issue an
29 order to a lobbyist to show cause why his or her
30 registration should not be canceled because of a
31 violation of section seven (7), eight (8) or nine
32 (9) of this Act. If an order is issued, the committee
33 shall hold a hearing in compliance with the rules
34 of that house. After the hearing, the committee may
35 cancel the registration of the lobbyist and may request
36 prosecution by the attorney general. Each ethics
37 committee shall act only upon violations which relate
38 to its respective house and members.

39 Sec. 10. NEW SECTION. CONTINGENT COMPENSATION.

40 A person shall not retain or employ another person
41 to promulgate or oppose legislation for compensation
42 contingent in whole or in part upon the passage or
43 defeat of a legislative bill or resolution. A person
44 shall not accept employment or render any services
45 for compensation contingent upon the passage or defeat
46 of a legislative bill or resolution.

47 Sec. 11. NEW SECTION. PROFESSIONAL SERVICES –
48 NOT LOBBYING. The provisions of sections seven (7)
49 through ten (10) of this Act shall not be construed
50 to affect professional services in drafting bills

Page 3

1 or in advising clients and in rendering opinions as
 2 to the construction and effect of proposed or pending
 3 legislation where such professional service is not
 4 otherwise connected with legislative action.

5 Sec. 12. NEW SECTION. PENALTY. A person who
 6 violates the provisions of section seven (7), eight
 7 (8) or ten (10) of this Act shall be guilty of a
 8 simple misdemeanor. All prosecutions for violations
 9 under this Act shall be maintained by the attorney
 10 general.

11 Sec. 13. Section sixty-eight B point ten (68B.10),
 12 subsection two (2), Code 1979, is amended to read
 13 as follows:

14 2. Prepare rules implementing sections seven (7)
 15 through twelve (12) of this Act relating to lobbyists
 16 and lobbying activities in the general assembly.

17 Sec. 14. Section sixty-eight B point ten (68B.10),
 18 unnumbered paragraph five (5), Code 1979, is amended
 19 to read as follows:

20 Violation of the code of ethics may result in the
 21 suspension of a member from the general assembly and
 22 the forfeiture of his or her salary if directed by
 23 a two-thirds vote of the house to which the member
 24 belongs. Such suspension or forfeiture of salary
 25 shall be for such duration as specified in the directing
 26 resolution provided however, that it cannot extend
 27 beyond the date of adjournment of the session.

28 Violation of the rules relating to lobbyists and
 29 lobbying activities may result in the suspension of
 30 any lobbyist if directed by a two-thirds vote of the
 31 house wherein the violation occurred."

32 3. By renumbering the sections and cross references
 33 to conform with this amendment.

HOWELL of Floyd

H-4180

1 Amend House File 745 as follows:

2 1. Page 1, by inserting before line 1 the
 3 following new section:

4 "Sec. . Section two hundred fourteen A point
 5 eleven (214A.11), Code 1979, is amended to read as
 6 follows:

7 "214A.11 VIOLATIONS. Any person violating the
 8 provisions of this chapter shall be guilty of a
 9 simple serious misdemeanor."

10 2. By renumbering sections of the bill as
 11 necessary.

O'KANE of Woodbury

H-4183

1 Amend Senate File 485, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 14, by inserting after line 23 the
4 following:

5 "d. Veterinary diagnostic
6 laboratory and its divisions
7 For salaries, support, main-
8 tenance and miscellaneous
9 purposes in order to provide
10 special needs relating to
11 diagnostic services for

12 animal diseases..... \$328,567 \$ 328,567

13 Funds appropriated by this subsection are in
14 addition to any other funds appropriated for use of
15 the veterinary diagnostic laboratory.

16 There shall be established by the Iowa state
17 university of science and technology, two regional
18 veterinary diagnostic laboratories which shall
19 operate as divisions of the veterinary diagnostic
20 laboratory located in Ames, Iowa. One regional
21 veterinary diagnostic laboratory shall be located in
22 order to provide diagnostic services for animal
23 diseases for the eastern portion of the state of
24 Iowa and the other regional veterinary diagnostic
25 laboratory shall be located in order to provide
26 diagnostic services for animal diseases for the
27 western portion of the state of Iowa. The services
28 provided shall complement the services provided by
29 the veterinary diagnostic laboratory located at Ames,
30 Iowa. The head of the veterinary diagnostic labor-
31 atory located at Ames, Iowa shall be primarily
32 responsible for administration of the divisions
33 established by this paragraph and shall coordinate
34 the work of the three laboratories."

AVENSON of Fayette

H-4188

1 Amend Senate File 471 as passed and reprinted
2 by the Senate as follows:

3 1. Page 3, by striking line 20 and inserting in
4 lieu thereof the following: "other operational
5 purposes..... \$ 2,350,200 \$ 2,363,141".

6 2. Page 3, by inserting after line 22 the
7 following:

8 "It is the intent of the general assembly that
9 an examiner be employed to examine electronic data
10 processing facilities and develop an examination
11 procedure for such facilities to complement regular
12 bank examinations."

CHIODO of Polk

H—4189

- 1 Amend the Crabb et al. amendment, H—4039, to Senate
 2 File 485, as passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by inserting after line 1 the following:
 5 " . Page 2, by inserting after line 8 the
 6 following:
 7 "Funds appropriated for tuition grants under this
 8 subsection and section two hundred sixty-one point
 9 twenty-five (261.25) of the Code shall be approved
 10 by the college aid commission as tuition grants to
 11 students of the Maharishi international university
 12 subject to the marching band of the Maharishi
 13 international university providing pregame marching
 14 and music at the varsity football game between Iowa
 15 state university of science and technology and the
 16 state university of Iowa." "

HORN of Linn
 LIND of Black Hawk
 BYERLY of Polk
 MILLER of Buchanan

H—4191

- 1 Amend the amendment, H—4039, to page 13 of Senate
 2 File 485 as follows:
 3 "1. Page 1, by inserting after line 13 the
 4 following: "Nothing in this section shall affect
 5 existing contracts for football games between the
 6 Iowa state university of science and technology and
 7 the state university of Iowa."
 8 "2. Page 1, by inserting after line 25 the
 9 following: "Nothing in this section shall affect
 10 existing contracts for football games between the
 11 Iowa state university of science and technology and
 12 the state university of Iowa."

GROTH of Buena Vista
 CRABB of Crawford

H—4193

- 1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. . Section ninety-seven B point eleven
 6 (97B.11), Code 1979, is amended to read as follows:
 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.

8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and ~~six tenths~~ seven-tenths percent of the
 11 covered wages paid by the employer through June 30,
 12 ~~1979, and commencing July 1, 1979 through June 30,~~
 13 1980, and in the amount of three and ~~seven-tenths~~
 14 eight-tenths percent of the covered wages paid by
 15 the employer commencing July 1, 1980, until the first
 16 of the month in which the member attains the age of
 17 seventy years or the member's termination or retirement
 18 from employment, whichever is earlier. The
 19 contributions of the employer shall be in the amount
 20 of three and one half percent of the covered wages
 21 of the member for service through December 31, 1975,
 22 and in the amount of five and twenty-five ~~seventy-~~
 23 five hundredths percent of the covered wages of the
 24 member for service commencing July 1, ~~1977~~ 1979 through
 25 June 30, ~~1979~~ 1980, and in the amount of five six
 26 and seventy-five ~~twenty-five~~ hundredths percent of
 27 the covered wages of the member for service commencing
 28 July 1, ~~1979~~ 1980."
 29 2. By numbering and renumbering sections and
 30 correcting internal references as necessary.

BRANDT of Black Hawk

H-4194

1 Amend House File 747 as follows:
 2 1. Page 5, line 5, by inserting after the word
 3 "tires," the words "except that the maximum weight
 4 on the steering axles shall not exceed eighteen
 5 thousand pounds,".

HULLINGER of Decatur
 JAY of Appanoose

H-4204

1 Amend House File 747 as follows:
 2 1. Page 1, by striking lines 13 through 22.
 3 2. Renumber sections and correct internal
 4 references as are necessary in accordance with this
 5 amendment.

BINNEBOESE of Plymouth

H-4213

1 Amend House File 747 as follows:
 2 1. Page 6, by striking lines 3 and 4 and inserting
 3 in lieu thereof the following:
 4 "AXLE, TANDEM AXLE, AND GROUPS OF AXLES

- 5 **WEIGHT VIOLATIONS".**
 6 2. Page 6, line 16, by striking the word "six"
 7 and inserting in lieu thereof the word "seven".
 8 3. Page 6, line 18, by striking the figure "250"
 9 and inserting in lieu thereof the figure "200".
 10 4. Page 6, line 18, by striking the word "seven"
 11 and inserting in lieu thereof the word "ten".

BENNETT of Ida

H-4214

- 1 Amend House File 747 as follows:
 2 1. Page 1, by inserting before line 1 the following
 3 new section:
 4 "Section Section three hundred seven point
 5 ten (307.10), subsection five (5), Code 1979, is
 6 amended to read as follows:
 7 5. Adopt rules in accordance with the provisions
 8 of chapter 17A as it may deem necessary to transact
 9 its business and for the administration and exercise
 10 of its powers and duties. The transportation
 11 commission shall also adopt rules, which rules shall
 12 be exempt from the provisions of chapter 17A, governing
 13 the length of vehicles and combinations of vehicles
 14 which are subject to the limitations imposed under
 15 section 321.457. The commission may adopt such rules
 16 which permit vehicles and combinations of vehicles
 17 in excess of the length limitations imposed under
 18 section 321.457, but not exceeding sixty-five feet
 19 in length, which may be moved on the highways of this
 20 state. Any such proposed rules shall be submitted
 21 to the general assembly within five days following
 22 the convening of a regular session of the general
 23 assembly. The general assembly may approve or
 24 disapprove the rules submitted by the commission not
 25 later than sixty days from the date such rules are
 26 submitted and, if approved or no action is taken by
 27 the general assembly on the proposed rules, such rules
 28 shall become effective May 1 and thereafter all laws
 29 in conflict therewith shall be of no further force
 30 and effect."
 31 2. Page 3, line 33, by striking the words and
 32 figure "subsections five (5) and six (6)" and inserting
 33 in lieu thereof the words and figure "subsection five
 34 (5)".
 35 3. Page 3, line 34, by striking the words "are
 36 amended by striking the subsections" and inserting
 37 in lieu thereof the words "is amended by striking
 38 the subsection".
 39 4. Page 4, by striking line 8 and inserting in
 40 lieu thereof the following new sections:

41 "Sec. . Section three hundred twenty-one point
 42 four hundred fifty-seven (321.457), subsection six
 43 (6), Code 1979, is amended to read as follows:
 44 6. No combination of three vehicles coupled
 45 together one of which is a motor vehicle, unladen
 46 or with load, shall have an overall length, inclusive
 47 of front and rear bumpers in excess of sixty sixty-
 48 five feet.
 49 Sec. . Section three hundred twenty-one point
 50 four hundred fifty-seven (321.457), Code 1979, is

Page 2

1 amended by adding the following new subsection:
 2 NEW SUBSECTION. A semitrailer shall not have a
 3 total length of more".
 4 5. Renumber sections and correct internal
 5 references as are necessary in accordance with this
 6 amendment.

LONERGAN of Boone
 WOODS of Polk

H-4215

1 Amend House File 747 as follows:
 2 1. Page 2, line 10, by striking the figure "70"
 3 and inserting in lieu thereof the figure "60".
 4 2. Page 2, by striking lines 20 through 35 and
 5 inserting in lieu thereof the following:

6	"14 Tons	.....	15 Tons	.....	\$ 470
7	15 Tons	.....	16 Tons	.....	\$ 500
8	16 Tons	.....	17 Tons	.....	\$ 540
9	17 Tons	.....	18 Tons	.....	\$ 585
10	18 Tons	.....	19 Tons	.....	\$ 625
11	19 Tons	.....	20 Tons	.....	\$ 690
12	20 Tons	.....	21 Tons	.....	\$ 735
13	21 Tons	.....	22 Tons	.....	\$ 775
14	22 Tons	.....	23 Tons	.....	\$ 820
15	23 Tons	.....	24 Tons	.....	\$ 860
16	24 Tons	.....	25 Tons	.....	\$ 990
17	25 Tons	.....	26 Tons	.....	\$ 1,040
18	26 Tons	.....	27 Tons	.....	\$ 1,090
19	27 Tons	.....	28 Tons	.....	\$ 1,135
20	28 Tons	.....	29 Tons	.....	\$ 1,185
21	29 Tons	.....	30 Tons	.....	\$ 1,230
22	30 Tons	.....	31 Tons	.....	\$ 1,280
23	31 Tons	.....	32 Tons	.....	\$ 1,330
24	32 Tons	.....	33 Tons	.....	\$ 1,375
25	33 Tons	.....	34 Tons	.....	\$ 1,455
26	34 Tons	.....	35 Tons	.....	\$ 1,500
27	35 Tons	.....	36 Tons	.....	\$ 1,550

28	36 Tons	37 Tons	\$ 1,600
29	37 Tons	38 Tons	\$ 1,645
30	38 Tons	39 Tons	\$ 1,695
31	39 Tons	40 Tons	\$ 1,740 "
32	3. Page 3, by striking lines 1 through 10.		
33	4. Page 3, lines 12 and 13, by striking the words		
34	"six hundred twenty-five" and inserting in lieu thereof		
35	the words "seven hundred forty".		

EVANS of Grundy
NORLAND of Worth

H-4217

- 1 Amend the House amendment, H-3971, to Senate File
- 2 235 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, line 25, by striking the words "less
- 5 than five hundred dollars" and inserting in lieu
- 6 thereof the words "fifty dollars or less".

LLOYD-JONES of Johnson
NORLAND of Worth

H-4218

- 1 Amend the amendment, H-4039 to page 13 of Senate
- 2 File 485 as follows:
- 3 1. Page 1, by striking line 12 and inserting in
- 4 lieu thereof the following:
- 5 "scheduled in Ames, Iowa at the Iowa State University
- 6 football stadium, hereafter named Jack Trice Memorial
- 7 Stadium, during odd-numbered calendar years".

JOCHUM of Dubuque
BRUNER of Story
ARNOULD of Scott
KREWSON of Polk
RAPP of Black Hawk
O'KANE of Woodbury

H-4221

- 1 Amend the Senate amendment, H-4148, to House File
- 2 650 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, lines 6 and 7, by striking the words
- 5 "for the unincorporated areas of the county" and
- 6 inserting in lieu thereof the words and figure "as
- 7 provided in section two (2) of this Act".
- 8 2. Page 2, by inserting after line 4 the following:

9 "Sec. 2. NEW SECTION. The board of supervisors
 10 of a county which has appointed a county zoning
 11 commission and provided for county zoning under the
 12 provisions of chapter three hundred fifty-eight A
 13 (358A) of the Code may, by resolution, provide for
 14 a partial exemption from property taxation of the
 15 actual value added to industrial real estate as
 16 provided under section one (1) of this Act. The board
 17 of supervisors of a county which has not appointed
 18 a zoning commission may, by resolution, provide for
 19 a partial exemption from property taxation of the
 20 actual value added to industrial real estate as
 21 provided under section one (1) of this Act in any
 22 area outside the incorporated limits of a city to
 23 which a city has extended its zoning ordinance pursuant
 24 to section four hundred fourteen point twenty-three
 25 (414.23) of the Code. To grant an exemption under
 26 the provisions of this section, the county board of
 27 supervisors shall comply with all of the requirements
 28 imposed by this Act upon the city council of a city."
 29 3. By numbering, renumbering, and correcting
 30 internal references as required by this amendment.

PERKINS of Greene

H-4229

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. . Section ninety-seven B point eleven
 6 (97B.11), Code 1979, is amended to read as follows:
 7 97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.
 8 Each employer shall deduct from the wages of each
 9 member of the system a contribution in the amount
 10 of three and ~~six-tenths~~ seven-tenths percent of the
 11 covered wages paid by the employer ~~through June 30,~~
 12 ~~1979, and commencing July 1, 1979 through June 30,~~
 13 ~~1981, and in the amount of three and seven-tenths~~
 14 ~~eight-tenths~~ percent of the covered wages paid by
 15 the employer ~~commencing July 1, 1981, until the first~~
 16 ~~of the month in which the member attains the age of~~
 17 ~~seventy years or the member's termination or retirement~~
 18 ~~from employment, whichever is earlier. The~~
 19 ~~contributions of the employer shall be in the amount~~
 20 ~~of three and one half percent of the covered wages~~
 21 ~~of the member for service through December 31, 1975,~~
 22 ~~and in the amount of five and twenty-five~~ seventy-
 23 five hundredths percent of the covered wages of the
 24 member for service commencing July 1, ~~1977~~ 1979 through
 25 June 30, ~~1979~~ 1981, and in the amount of ~~five~~ six

- 26 and ~~seventy-five~~ twenty-five hundredths percent of
 27 the covered wages of the member for service commencing
 28 July 1, ~~1979~~ 1981."
 29 2. By numbering and renumbering sections and
 30 correcting internal references as necessary.

BRANDT of Black Hawk

H-4237

- 1 Amend House File 749 as follows:
 2 1. Page 2, line 24, by inserting after the word
 3 "officer" the words "or juvenile restitutional office".
 4 2. Page 3, line 8, by inserting after the word
 5 "officer" the words "or juvenile restitutional office".
 6 3. Page 3, line 14, by inserting after the word
 7 "officer" the words "or juvenile restitutional office".

KIRKENSLAGER of Des Moines

H-4239

- 1 Amend amendment H-4215 to House File 747 as
 2 follows:
 3 1. Page 1, by inserting after line 1 the
 4 following:
 5 "1. Page 2, line 4, by striking the word "fifty-
 6 five" and inserting in lieu thereof the word "forty-
 7 five"."
 8 2. Page 1, line 6, by striking the number
 9 "470" and inserting the number "460".
 10 3. By renumbering as necessary.

EVANS of Grundy

H-4243

- 1 Amend the Senate amendment H-4181, to House File
 2 172, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 8 the
 4 following:
 5 " . Page 1, line 11, by striking the words
 6 "three hundred" and inserting in lieu thereof the
 7 words "one hundred fifty"."

WELSH of Dubuque

H—4245

- 1 Amend House File 755 as follows:
- 2 1. Page 13, by striking line 14 through page
- 3 14 line 8.

TYRRELL of Iowa
 CHIODO of Polk
 BRANSTAD of Winnebago
 LIND of Black Hawk

H—4246

- 1 Amend the Senate amendment, H—4220, to House File
- 2 693 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 6 the following:
- 5 " . Page 2, line 19, by inserting after the
- 6 word "provisions" the words and figures "of section
- 7 one (1) through 10 (10)".
- 8 . Page 2, line 27, by inserting after the word
- 9 "provisions" the words and figures "of section one
- 10 (1) through 10 (10)".
- 11 . Page 2, by inserting after line 29 the
- 12 following:
- 13 "Sec. 11. Section four hundred twenty-two point
- 14 four (422.4), Code 1979, is amended by adding the
- 15 following new subsection:
- 16 NEW SUBSECTION.
- 17 a. "Annual inflation factor" means an index,
- 18 expressed as a percentage, determined by the department
- 19 on or before May first of each year to reflect the
- 20 purchasing power of the dollar as a result of inflation
- 21 or deflation during the preceding calendar year,
- 22 except that in the 1979 calendar year the department
- 23 has thirty days after the effective date of this Act
- 24 to determine the annual inflation factor. In
- 25 determining the annual inflation factor, the department
- 26 shall use the annual percent change in the consumer
- 27 price index produced by the bureau of labor statistics
- 28 of the United States department of commerce and shall
- 29 add that percent figure to one hundred percent. The
- 30 annual inflation factor and the cumulative inflation
- 31 factor shall each be expressed as a percentage rounded
- 32 to the nearest one-tenth of one percent.
- 33 Notwithstanding the provisions of the Iowa
- 34 administrative procedure act, the department may
- 35 announce the annual inflation factor without prior
- 36 notice, and the annual inflation factor shall become
- 37 effective immediately.
- 38 b. "Cumulative inflation factor" means the product

39 of the annual inflation factor for the 1978 calendar
 40 year and all annual inflation factors for subsequent
 41 calendar years as determined pursuant to this
 42 subsection. The cumulative inflation factor shall
 43 apply to all tax years beginning on or after January
 44 first of the calendar year in which the latest annual
 45 inflation factor has been determined.

46 c. The annual inflation factor for the 1978
 47 calendar year is one hundred percent.

48 Sec. 12. Section four hundred twenty-two point
 49 five (422.5), Code 1979, is amended by adding the
 50 following new unnumbered paragraph:

Page 2

1 **NEW UNNUMBERED PARAGRAPH.** Upon determination of
 2 the latest cumulative inflation factor, the director
 3 shall multiply each dollar amount, including those
 4 expressed in the tax brackets, set forth in this
 5 section by that cumulative inflation factor and shall
 6 round off the resulting product to the nearest one
 7 hundred dollars.

8 Sec. 13. Section four hundred twenty-two point
 9 nine (422.9), subsection one (1), Code 1979, is amended
 10 to read as follows:

11 1. An optional standard deduction of ten percent
 12 of the net income after deduction of federal income
 13 tax, not to exceed five hundred dollars multiplied
 14 by the cumulative inflation factor for a married
 15 person who files separately, or one thousand dollars
 16 multiplied by the cumulative inflation factor for
 17 a single person or a husband and wife who file a joint
 18 return.

19 Sec. 14. Section four hundred twenty-two point
 20 twelve (422.12), subsection one (1), Code 1979, is
 21 amended by adding the following new unnumbered
 22 paragraph:

23 **NEW UNNUMBERED PARAGRAPH.** Upon determination of
 24 the latest cumulative inflation factor, the director
 25 shall multiply each dollar amount set forth in this
 26 subsection by that cumulative inflation factor and
 27 shall round off the resulting product to the nearest
 28 one dollar.

29 Sec. 15. Section four hundred twenty-two point
 30 thirteen (422.13), subsections one (1) and two (2),
 31 Code 1979, are amended to read as follows:

32 1. Every resident of Iowa who is required to file
 33 a federal income tax return under the Internal Revenue
 34 Code of 1954, or who has a net income of two thousand
 35 dollars multiplied by the cumulative inflation factor
 36 or more for the tax year from sources taxable under
 37 this division, shall make and sign a return.

38 2. Every nonresident who is required to file a
39 federal income tax return under the Internal Revenue
40 Code of 1954 and who has a net income of two thousand
41 dollars multiplied by the cumulative inflation factor
42 or more for the tax year from sources taxable under
43 this division, shall make and sign a return.

44 Sec. 16. Section four hundred twenty-two point
45 fourteen (422.14), subsection one (1), Code 1979,
46 is amended to read as follows:

47 1. Every fiduciary subject to taxation under the
48 provisions of this division, as provided in section
49 422.6, shall make and sign a return for the individual,
50 estate or trust for whom or for which he or she acts,

Page 3

1 if the taxable income thereof amounts to six hundred
2 dollars multiplied by the cumulative inflation factor
3 or more. A nonresident fiduciary shall file a copy
4 of the federal income tax return for the current tax
5 year with the return required by this section.

6 Sec. 17. Section four hundred twenty-two point
7 twenty-one (422.21), Code 1979, is amended by adding
8 the following new unnumbered paragraph:

9 **NEW UNNUMBERED PARAGRAPH.** The director shall
10 compute the new dollar amounts as required in sections
11 four hundred twenty-two point five (422.5), four
12 hundred twenty-two point nine (422.9), subsection
13 one (1), four hundred twenty-two point twelve (422.12),
14 four hundred twenty-two point thirteen (422.13) and
15 four hundred twenty-two point fourteen (422.14) of
16 the Code by multiplying the dollar amounts specified
17 therein to be adjusted by the cumulative inflation
18 factor, rounding off the result, and incorporating
19 the result into the income tax forms and instructions
20 for each taxable year. The rounding off shall be
21 as follows: the resulting dollar amounts in sections
22 four hundred twenty-two point five (422.5), four
23 hundred twenty-two point thirteen (422.13) and four
24 hundred twenty-two point fourteen (422.14) of the
25 Code to the nearest one hundred dollars and the
26 resulting dollar amounts in sections four hundred
27 twenty-two point nine (422.9), subsection one (1),
28 and four hundred twenty-two point twelve (422.12)
29 of the Code to the nearest one dollar.

30 Sec. 18. The provisions of sections eleven (11)
31 through seventeen (17) of this Act are retroactive
32 to January 1, 1979, for tax years beginning on or
33 after January 1, 1979."

34 Amend the title, line 2, by inserting after
35 the word "taxes" the words ", indexing the state

36 individual income tax and making those provisions
 37 retroactive".
 38 By numbering, renumbering and correcting
 39 internal references as required by this amendment."
 40 2. By numbering and renumbering as required by this
 41 amendment.

CONLON of Muscatine
 HALVORSON of Clayton
 WEST of Marshall
 WELDEN of Hardin

H-4251

1 Amend House File 755 as follows:
 2 1. Page 12, by striking line 33 and inserting
 3 in lieu thereof the words and figures:
 4 "pendent children.....\$47,739,214 \$48,016,812"
 5 2. Page 16, by striking lines 16 through 24 and
 6 inserting in lieu thereof the words and figures "family
 7 sizes by seven percent commencing October 1, 1979
 8 and by an additional seven percent commencing October
 9 1, 1980."

JOCHUM of Dubuque
 BRANDT of Black Hawk
 LLOYD-JONES of Johnson

H-4255

1 Amend House File 755 as follows:
 2 1. Page 14, by striking line 20 and inserting
 3 in lieu thereof the following:
 4 "services.....\$19,800,000 \$20,600,000".
 5 2. Page 19, by striking lines 3 through 5 and in-
 6 serting in lieu thereof the following:
 7 "2. Funds not otherwise appropriated from the
 8 general fund of the state of Iowa shall be used
 9 for reimbursement of county juvenile".
 10 3. Page 19, by striking lines 8 through 13 and
 11 inserting in lieu thereof the following:
 12 "of the Code. The department of social services".

BRUNER of Story

H-4261

1 Amend House File 747 as follows:
 2 1. Page 1, by inserting after line 12 the following
 3 new section:
 4 "Section . Section three hundred twenty-one
 5 point one hundred nine (321.109), subsection one (1),
 6 Code 1979, is amended by striking the subsection and

7 inserting in lieu thereof the following:
8 1. The annual fee for all motor vehicles including
9 vehicles designated by manufacturers as station wagons,
10 except motor trucks, hearses, motorcycles, and motor
11 bicycles, shall be determined as follows:
12 a. For the 1980 registration year, an amount equal
13 to one percent of the value as fixed by the department
14 plus thirty-two cents for each one hundred pounds
15 or fraction thereof of the weight of the vehicle,
16 as fixed by the department.
17 b. For the 1981 registration year, an amount equal
18 to one percent of the value as fixed by the department
19 plus twenty-four cents for each one hundred pounds
20 or fraction thereof of the weight of the vehicle,
21 as fixed by the department.
22 c. For the 1982 registration year, an amount equal
23 to one percent of the value as fixed by the department
24 plus sixteen cents for each one hundred pounds or
25 fraction thereof of the weight of the vehicle, as
26 fixed by the department.
27 d. For the 1983 registration year, an amount equal
28 to one percent of the value as fixed by the department
29 plus eight cents for each one hundred pounds or
30 fraction thereof of the weight of the vehicle, as
31 fixed by the department.
32 e. For the 1984 registration year and succeeding
33 registration years, an amount equal to one percent
34 of the value of the vehicle as fixed by the department.
35 The weight of a motor vehicle, fixed by the department
36 for registration purposes, shall include the weight
37 of a battery, heater, bumpers, spare tire, and wheel.
38 Provided, however, that for any new vehicle purchased
39 in this state by a nonresident for removal to his
40 state of residence the purchaser may make application
41 to the county treasurer in the county of purchase
42 for a transit plate for which a fee of five dollars
43 shall be paid. And provided, however, that for any
44 used vehicle held by a registered dealer and not
45 currently registered in this state, or for any vehicle
46 held by an individual and currently registered in
47 this state, when purchased in this state by a
48 nonresident for removal to his state of residence,
49 the purchaser may make application to the county
50 treasurer in the county of purchase for a transit

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1 plate for which a fee of three dollars shall be paid.
2 The county treasurer shall issue a nontransferable
3 certificate of registration for which no refund shall
4 be allowed; and the transit plates shall be void
5 thirty days after issuance. Such purchaser may apply

6 for a certificate of title by surrendering the
 7 manufacturer's or importer's certificate or certificate
 8 of title, duly assigned as provided in this chapter.
 9 In this event, the treasurer in the county of purchase
 10 shall, when satisfied with the genuineness and
 11 regularity of the application, and upon payment of
 12 a fee of two dollars, issue a certificate of title
 13 in the name and address of such nonresident purchaser
 14 delivering the same to the person entitled thereto
 15 as provided in this chapter."
 16 2. Renumber sections and correct internal
 17 references as are necessary in accordance with this
 18 amendment.

MILLER of Buchanan

H-4271

1 Amend the Senate amendment, H-3764, to House
 2 File 421, as amended, passed and reprinted by the
 3 House, as follows:
 4 1. Page 1, line 8, by inserting after the
 5 word "chapter" the words "; provided that the tax-
 6 payer need not be informed prior to dissemination
 7 under the following circumstance:
 8 a. Such information is obtained for a
 9 criminal investigation upon written application
 10 with the director which includes a request that
 11 the taxpayer not be informed for such period
 12 by the department. An additional ninety-day
 13 period may be granted by the director upon a
 14 written request stating the reasons therefor."

WELSH of Dubuque

H-4272

1 Amend House File 747 as follows:
 2 1. Page 7, by inserting after line 4 the following
 3 new section:
 4 "Sec. Section four hundred twenty-three point
 5 four (423.4), Code 1979, is amended by adding the
 6 following new subsection:
 7 **NEW SUBSECTION.** Tangible personal property used
 8 in interstate transportation or interstate commerce."
 9 2. Amend the title, line 2, by inserting after
 10 the words "combinations of vehicles" the words "
 11 exempt from the use tax tangible personal property
 12 used in interstate transportation and commerce,"

PAVICH of Pottawattamie
 WALTER of Pottawattamie

H-4273

- 1 Amend House File 747 as follows:
- 2 1. Page 3, by inserting after line 20
- 3 the following:
- 4 "e. The registration fees specified in
- 5 paragraph c of this subsection shall be
- 6 applicable for the 1980 registration year. For
- 7 the 1981 registration year and each succeeding
- 8 registration year, the department shall recompute
- 9 the registration fees by multiplying the
- 10 preceding year's registration fees by one hundred
- 11 and eight percent and rounding the registration
- 12 fee to the nearest five dollars."

HANSON of Delaware

H-4284

- 1 Amend House File 757 as follows:
- 2 1. Page 12, by inserting after line 32 the
- 3 following:
- 4 "Sec. Section four hundred forty-one point
- 5 thirty-five (441.35). Code 1979, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. To equalize assessments where
- 8 an adjustment in the valuations for each class of
- 9 property has been ordered by the director of revenue
- 10 in the final equalization order so that the valua-
- 11 tions for each class of property shall not exceed by
- 12 more than five percent the adjustment in the valua-
- 13 tions for each class of property as ordered by the
- 14 director of revenue in the final equalization order."

SPEAR of Lee
GETTINGS of Wapello

H-4299

- 1 Amend the Senate amendment H-4282 to House File
- 2 734 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 15.
- 5 2. By renumbering the amendment to conform with
- 6 this amendment.

PELLETT of Cass
HARBOR of Mills
PERKINS of Greene
HUSAK of Tama

H-4303

- 1 Amend amendment H-4273 to page 3 of House File
- 2 747 as follows:
- 3 1. Page 1, line 11, by striking the word "eight"
- 4 and inserting in lieu thereof the word "four".

POFFENBERGER of Dallas

H-4304

- 1 Amend House File 747 as follows:
- 2 1. Page 3, by inserting after line 20, the
- 3 following:
- 4 "Sec. . Section three hundred twenty-one point
- 5 one hundred twenty-three (321.123), unnumbered
- 6 paragraph one (1), Code 1979, is amended to read as
- 7 follows:
- 8 All trailers except farm trailers, unless
- 9 otherwise provided in this section, shall be subject
- 10 to a registration fee of four dollars for trailers
- 11 with a gross weight of one thousand pounds or less
- 12 and ten twenty-five dollars for other trailers.
- 13 Trailers for which the empty weight is two thousand
- 14 pounds or less shall be exempt from the certificate
- 15 of title and lien provisions of this chapter. Fees
- 16 collected under this section shall not be reduced
- 17 or prorated under the provisions of chapter 326."

POFFENBERGER of Dallas

H-4305

- 1 Amend House File 747 as follows:
- 2 1. Page 4, by inserting after line 21 the following
- 3 new section:
- 4 "Sec. . Section three hundred twenty-one point
- 5 four hundred fifty-seven (321.457), Code 1979, is
- 6 amended by adding the following new subsection:
- 7 NEW SUBSECTION. Vehicles or combinations of
- 8 vehicles with a combined gross weight exceeding
- 9 seventy-two thousand pounds may be operated only as
- 10 follows:
- 11 a. On highways which are fully-controlled access,
- 12 divided, multi-laned highways including the national
- 13 system of interstate highways designated by the federal
- 14 highway administration and this state, except as
- 15 provided in paragraph b of this subsection.
- 16 b. On highways designated in paragraph a of this
- 17 subsection and primary roads if the property being

18 transported consists of raw agricultural products
 19 or livestock.
 20 c. A distance of not to exceed five miles from
 21 a fully-controlled access, divided, multi-laned highway
 22 or a primary road, if the vehicle or combination of
 23 vehicles is allowed to move on a primary road under
 24 paragraph b of this subsection, to a point not more
 25 than five miles from the highway for purposes of
 26 making a delivery or to pick up goods for transport
 27 from a point not more than five miles from the highway
 28 and return to the highway on the most direct route."
 29 2. Renumber sections and correct internal
 30 references as are necessary in accordance with this
 31 amendment.

GETTINGS of Wapello
 BINNEBOESE of Plymouth
 WALTER of Pottawattamie

H-4308

1 Amend the Senate amendment H-4282 to House File
 2 734 as amended, passed and reprinted by the House
 3 as follows:
 4 1. Page 1, by striking lines 21 and 22 and
 5 inserting in lieu thereof the following:
 6 "5. Page 11, by striking lines 25 through 31
 7 and inserting in lieu thereof the following: "consist
 8 of seven members. Three of the members shall be
 9 employees of the commission who shall be appointed by
 10 the executive director of the commission and shall
 11 serve at his or her pleasure. The governor shall
 12 appoint four members, one of whom shall be an execu-
 13 tive officer of a county conservation board, one a
 14 member of a county conservation board, and two who
 15 shall not be officers or employees of the state con-
 16 servation commission or a county conservation board.
 17 The members appointed by the governor shall serve
 18 one-year terms." "

HOWELL of Floyd

H-4309

1 Amend House File 747 as follows:
 2 1. Page 1, by inserting after line 12 the following
 3 new section:
 4 "Sec. 2. Section three hundred twenty-one point
 5 one hundred nine (321.109), subsection one (1), Code
 6 1979, is amended to read as follows: 1. The annual
 7 fee for all motor vehicles including vehicles

8 designated by manufacturers as station wagons, except
 9 motor trucks with an unladen weight exceeding four
 10 tons which shall be subject to the registration fees
 11 determined pursuant to section three hundred twenty-
 12 one point one hundred twenty-two (321.122) of the
 13 Code, hearses, motorcycles, and motor bicycles, shall
 14 be equal to one percent of the value as fixed by the
 15 department plus forty cents for each one hundred
 16 pounds or fraction thereof of weight of vehicle, as
 17 fixed by the department. The weight of a motor
 18 vehicle, fixed by the department for registration
 19 purposes, shall include the weight of a battery,
 20 heater, bumpers, spare tire, and wheel. Provided,
 21 however, that for any new vehicle purchased in this
 22 state by a nonresident for removal to his or her state
 23 of residence the purchaser may make application to
 24 the county treasurer in the county of purchase for
 25 a transit plate for which a fee of five dollars shall
 26 be paid. And provided, however, that for any used
 27 vehicle held by a registered dealer and not currently
 28 registered in this state, or for any vehicle held
 29 by an individual and currently registered in this
 30 state, when purchased in this state by a nonresident
 31 for removal to his or her state of residence, the
 32 purchaser may make application to the county treasurer
 33 in the county of purchase for a transit plate for
 34 which a fee of three dollars shall be paid. The
 35 county treasurer shall issue a nontransferable
 36 certificate of registration for which no refund shall
 37 be allowed; and the transit plates shall be void
 38 thirty days after issuance. Such purchaser may apply
 39 for a certificate of title by surrendering the
 40 manufacturer's or importer's certificate or certificate
 41 of title, duly assigned as provided in this chapter.
 42 In this event, the treasurer in the county of purchase
 43 shall, when satisfied with the genuineness and
 44 regularity of the application, and upon payment of
 45 a fee of two dollars, issue a certificate of title
 46 in the name and address of such nonresident purchaser
 47 delivering the same to the person entitled thereto
 48 as provided in this chapter."
 49 2. Page 1, line 28, by inserting after the words
 50 "motor trucks" the words "with an unladen weight

Page 2

- 1 exceeding four tons".
- 2 3. Page 1, by striking line 35.
- 3 4. Page 2, by striking lines 1 through 4.
- 4 5. Page 7, line 5, by inserting after the word
- 5 "Act" the words ", except the provisions of section

6 two (2) of this Act which are effective December
7 thirty-first."

O'KANE of Woodbury

H-4310

1 Amend Senate File 494 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking line 26 and inserting in
4 lieu thereof the following:

5 "56.18 CAMPAIGN FUND CHECKOFF - INCOME TAX.

6 1. Any person whose state income".

7 2. Page 3, by striking line 35 and inserting in
8 lieu thereof the words and figure "dollar be paid
9 to any such account in the fund.

10 2. The director".

11 3. Page 4, line 5, by striking the words "section
12 be" and inserting in lieu thereof the word "section:".

13 4. Page 4, by striking lines 6 and 7 and inserting
14 in lieu thereof the following:

15 "a. Be credited to a specified political party
16 as defined by section forty-three point two (43.2)
17 of the Code.

18 b. Be credited to the Iowa".

19 5. Page 4, line 11, by striking the words "the
20 latter" and inserting in lieu thereof the word "this".

21 6. Page 4, by inserting after line 16 the
22 following:

23 "c. Be credited to any nonparty political
24 organization designated by the taxpayer which is
25 eligible under this section to receive the
26 contribution.

27 3. A nonparty political organization is eligible
28 to receive contributions under this section if it
29 has both:

30 a. Filed in the office of the state commissioner,
31 at the time and in the manner required by chapter
32 forty-four (44) of the Code, the nomination of at
33 least one candidate for an office to be filled at
34 the most recent general election.

35 b. Since filing the nomination referred to in
36 paragraph a of this subsection, filed with the
37 commission periodic disclosure reports at the time
38 and in the manner required by section fifty-six point
39 six (56.6) of the Code.

40 4. The executive secretary of the commission
41 shall, at the latest date he or she and the director
42 of revenue conclude is practicable, provide to the
43 director a list of each nonparty political organization
44 which is eligible to receive checkoff funds under
45 this section. The director of revenue shall enclose

46 a copy of the list with the material provided by the
 47 department of revenue to persons who it is anticipated
 48 will file Iowa individual income tax returns. That
 49 material shall include instructions, in reasonable
 50 detail, explaining the manner and effect of indicating

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1 a contribution to the Iowa election campaign fund
 2 when completing an Iowa individual income tax return.”
 3 7. Page 4, line 25, by inserting after the word
 4 “Code” the words “, and for each eligible nonparty
 5 political organization to which funds are contributed
 6 under section fifty-six point eighteen (56.18) of
 7 the Code”.
 8 8. Page 4, by striking line 33 and inserting in
 9 lieu thereof the words “in the fund for a political
 10 party. However, at any time when more than two such
 11 accounts”.
 12 9. Page 5, line 11, by inserting after the figure
 13 “56.22.” the words and figures “Funds so designated
 14 to a nonparty political organization under section
 15 fifty-six point eighteen (56.18) of the Code shall
 16 be remitted to and used by the nonparty political
 17 organization so designated, in the same manner and
 18 for the same purposes as provided for political parties
 19 under sections fifty-six point twenty (56.20) through
 20 fifty-six point twenty-four (56.24) of the Code.”
 21 10. Page 5, line 20, by striking the word “either”.
 22 11. Page 5, line 21, by striking the words “choice
 23 or” and inserting in lieu thereof the word “choice.”.
 24 12. Page 5, line 23, by inserting after the word
 25 “Code” the words and figures “, or go to a nonparty
 26 political organization which is eligible under section
 27 fifty-six point eighteen (56.18), subsection four
 28 (4) of the Code and is designated by the taxpayer
 29 to receive the contribution”.

BRUNER of Story

H—4314

1 Amend the Senate amendment H—4282, to House File
 2 734 as amended, passed and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking lines 17 through 20.

TOFTE of Winneshiek

H-4318

1 Amend Senate File 485, as passed by the Senate
 2 and reprinted, as follows:
 3 1. Page 6, line 10, by striking the word
 4 "start-up".
 5 2. Page 6, line 12, by striking the word
 6 "start-up".
 7 3. Page 6, line 13, by inserting after the
 8 word "industries." the following: "Training
 9 programs shall include retraining for employees
 10 of industries which have ceased operations in the
 11 state of Iowa during the previous twelve month
 12 period."

ANDERSON of Jasper

H-4319

1 Amend Senate File 485 as follows:
 2 1. Page 11, by inserting after line 22 the
 3 following:
 4 "g. For reimbursement to merged
 5 area schools operating education
 6 programs for migratory workers.....\$25,000 \$ "

CUSACK of Scott

H-4320

1 Amend Senate File 485, as passed by the Senate
 2 and reprinted, as follows:
 3 1. Page 9, by striking lines 34 and 35.
 4 2. Page 10, by striking lines 1 and 2.

CUSACK of Scott

H-4321

1 Amend the Senate amendment, H-4312, to House File
 2 660, as passed and reprinted by the House, as follows:
 3 1. Page 1, lines 15 and 16, by striking the word
 4 "thirty-three" and inserting in lieu thereof the word
 5 "Thirty-three".
 6 2. Page 1, line 17, by striking the word "twenty-
 7 five" and inserting in lieu thereof the word "Twenty-
 8 five".
 9 3. Page 1, lines 18 and 19, by striking the word
 10 "sixty-six" and inserting in lieu thereof the word
 11 "Sixty-six".
 12 4. Page 1, line 20, by striking the word "seventy-
 13 five" and inserting in lieu thereof the word "Seventy-
 14 five".

- 15 5. Page 1, line 28, by inserting after the word
 16 "percent" the words "for the budget year".
 17 6. Page 2, by inserting after line 36 the
 18 following:
 19 "Sec. . Section four hundred forty-two point
 20 seven (442.7), subsection three (3), Code 1979, is
 21 amended to read as follows:
 22 3. Each year prior to September 15 fifteenth the
 23 state comptroller shall recompute the state percent
 24 of growth for the previous year using adjusted
 25 estimates and the actual figures available. The
 26 difference between the recomputed state percent of
 27 growth for the base year and the original computation
 28 shall be added to or subtracted from the state percent
 29 of growth for the budget year, as applicable. However,
 30 this subsection shall not apply to the budget school
 31 year beginning July 1, 1980, and the state comptroller
 32 shall recompute the state percent of growth for the
 33 previous year using adjusted estimates and the actual
 34 figures available based only upon the consumer price
 35 index for the budget school years beginning July 1,
 36 1981 and July 1, 1982."
 37 7. By numbering and renumbering sections as
 38 necessary.

STROMER of Hancock
 WELDEN of Hardin
 THOMPSON of Polk

H-4330

- 1 Amend the Senate amendment, H-4312, to House File
 2 660, as passed and reprinted by the House, as follows:
 3 1. Page 2, by striking lines 31 through 34 and
 4 inserting in lieu thereof the following:
 5 " . Page 3, by striking lines 28 through 35."

HORN of Linn
 PATCHETT of Johnson

H-4331

- 1 Amend the Senate amendment, H-4312, to House File
 2 660 as passed and reprinted by the House, as follows:
 3 1. Page 1, by striking lines 21 through 32 and
 4 inserting in lieu thereof the following:
 5 "6. Page 2, line 24, by striking the word "three"
 6 and inserting in lieu thereof the word "four".
 7 7. Page 2, line 34, by striking the words "three
 8 percent for the budget year" and inserting in lieu

- 9 thereof the words "four percent amount for the
10 budget school years beginning July 1, 1980 and July 1,
11 1981".
- 12 2. By renumbering sections of the Senate amend-
13 ment as necessary.

GROTH of Buena Vista

H-4332

- 1 Amend the Senate amendment, H-4312, to House File
2 660, as passed and reprinted by the House, as follows:
3 1. Page 2, by striking lines 37 through 50.
4 2. Page 3, by striking lines 1 through 10.

HORN of Linn
PATCHETT of Johnson

H-4336

- 1 Amend Senate File 485, as passed and reprinted
2 by the Senate, as follows:
3 1. Page 20 by inserting after line 35 the following
4 section:
5 "Sec. Chapter four hundred forty-two (442),
6 Code 1979, is amended by adding the following new
7 section after section four hundred forty-two point
8 thirty-three (442.33) of the Code:
9 NEW SECTION. REPORTS. Each school district for
10 which a gifted and talented children program has been
11 approved shall include in the permanent school record
12 of each child identified as gifted and talented and
13 receiving instruction under a gifted and talented
14 children program, a record of the identification of
15 the child as a gifted and talented child and an
16 evaluation of student progress in the program. The
17 record shall also contain information completed by
18 the school counselor, or teacher, with the assistance
19 of the parent or guardian of the child, including
20 the social background and income of the parent or
21 guardian, and any other information deemed necessary
22 by the department of public instruction to meet state
23 or federal requirements."
24 2. By numbering and renumbering sections and
25 correcting internal references as necessary.

MILLER of Buchanan

H-4339

- 1 Amend House File 759 as follows:
 2 1. Page 1, line 26, by inserting after the word
 3 "used" the words "on the farm".
 4 2. Page 1, line 27, by inserting after the word
 5 "used" the words "on the farm".
 6 3. Page 1, line 28, by inserting after the word
 7 "used" the words "on the farm".

SCHNEKLOTH of Scott
 HUMMEL of Benton

H-4341

- 1 Amend Senate File 489, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, line 3, by striking the words "on or
 4 after" and inserting in lieu thereof the words "~~on~~
 5 or after between".
 6 2. Page 5, line 3, by inserting after the figure
 7 "1979" the words and figures "and June 30, 1980".
 8 3. Page 5, line 5, by striking the word "forty-
 9 six" and inserting in lieu thereof the word "forty-
 10 five".
 11 4. Page 5, line 7, by inserting after the word
 12 "service." the words and figures "For each active
 13 member retiring on or after July 1, 1980, the monthly
 14 benefit computed under this subsection shall be equal
 15 to one-twelfth of an amount equal to forty-six percent
 16 of the five-year average covered wage multiplied by
 17 a fraction of years of service."
 18 5. Page 5, line 27, by striking the words "on
 19 or after" and inserting in lieu thereof the words
 20 "on or after between".
 21 6. Page 5, line 28, by inserting after the figure
 22 "1979" the words and figures "and June 30, 1980".
 23 7. Page 5, line 30, by striking the word "forty-
 24 six" and inserting in lieu thereof the word "forty-
 25 five".
 26 8. Page 5, line 32, by inserting after the word
 27 "service." the words and figures "For each member
 28 retiring on or after July 1, 1980, the monthly benefit
 29 computed under this subsection shall be equal to one-
 30 twelfth of an amount equal to forty-six percent of
 31 the five-year average covered wage as a conservation
 32 peace officer."
 33 9. Page 6, line 23, by striking the words "on
 34 or after" and inserting in lieu thereof the word
 35 "between".
 36 10. Page 6, line 24, by inserting after the figure

37 "1979" the words and figures "and June 30, 1980".
 38 11. Page 6, line 25, by striking the word "forty-
 39 six" and inserting in lieu thereof the word "forty-
 40 five".
 41 12. Page 6, line 26, by inserting after the word
 42 "wage." the words and figures "For each member eligible
 43 for a monthly retirement allowance under this
 44 subsection who retires on or after July 1, 1980, the
 45 monthly benefit computed under this subsection shall
 46 be equal to one-twelfth of forty-six percent of the
 47 member's five-year average covered wage."

WELDEN of Hardin

H-4342

1 Amend House File 759 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "purposes" the words "or used in the construction,
 4 maintenance or improvement of buildings or structures
 5 constructed on the land".
 6 2. Page 1, by inserting after line 29 the
 7 following:
 8 "f. The tangible personal property used in the
 9 construction, maintenance or improvement of buildings
 10 or structures constructed on the land shall be assessed
 11 and taxed as real property under the provisions of
 12 section four hundred twenty-seven A point one (427A.1)
 13 of the Code."
 14 3. Page 2, line 22, by inserting after the word
 15 "purposes" the words "and qualifying tangible personal
 16 property used in the construction, maintenance or
 17 improvement of buildings or structures constructed
 18 on the land".
 19 4. Page 2, line 27, by inserting after the word
 20 "purposes" the words "and qualifying tangible personal
 21 property used in the construction, maintenance or
 22 improvement of buildings or structures constructed
 23 on the land".
 24 5. Page 2, line 31, by inserting after the word
 25 "purposes" the words "and qualifying tangible personal
 26 property used in the construction, maintenance or
 27 improvement of buildings or structures constructed
 28 on the land".
 29 6. Page 3, line 5, by inserting after the word
 30 "purposes" the words "and qualifying tangible personal
 31 property used in the construction, maintenance or
 32 improvement of buildings or structures constructed
 33 on the land".

RAPP of Black Hawk

H-4345

- 1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 2, by inserting after line 35 the following
 4 section:
 5 "Sec. . Section ninety-seven B point forty-
 6 one (97B.41), subsection one (1), paragraph b,
 7 subparagraph four (4), Code 1979, is amended to read
 8 as follows:
 9 (4) For each calendar year from January 1, 1976,
 10 ~~and thereafter through December 31, 1979, wages not~~
 11 in excess of twenty thousand dollars; and for each
 12 calendar year from January 1, 1980, and thereafter,
 13 wages not in excess of twenty-two thousand dollars."
 14 2. By numbering and renumbering sections and
 15 correcting internal references as necessary.

BRANDT of Black Hawk

H-4348

- 1 Amend House File 747 as follows:
 2 1. Amend the title page, by striking line 4.

PELTON of Clinton

H-4350

- 1 Amend House File 747 as follows:
 2 1. Page 3, by inserting after line 14 the following
 3 new paragraph:
 4 "e. The registration fees specified in paragraphs
 5 c and d of this subsection shall be applicable through
 6 the 1983 registration year. The general assembly
 7 meeting in the year 1983 shall review the registration
 8 fees specified in paragraphs c and d of this
 9 subsection."

EGENES of Story

H-4351

- 1 Amend House File 747 as follows:
 2 1. Page 7, by inserting after line 4 the following
 3 new paragraph:
 4 "Notwithstanding the provisions of section eight
 5 hundred five point eight (805.8), subsection two (2),
 6 paragraph f of the Code, a vehicle or combination
 7 of vehicles with a combined gross weight of thirty-
 8 six tons or more shall, upon conviction for excessive

9 speed violations, be subject to a fine of fifty dollars
 10 for excessive speed of ten miles per hour or less
 11 and an additional ten dollars for each mile per hour
 12 over the speed limit."

EGENES of Story

H-4355

1 Amend the committee amendment H-4325 to Senate
 2 File 494, as passed by the Senate and reprinted,
 3 as follows:
 4 1. Page 2, line 13, by striking the word "two"
 5 and inserting in lieu thereof the word "five".

BRUNER of Story
 LLOYD-JONES of Johnson
 HALVORSON of Webster
 KREWSON of Polk
 HIBBS of Johnson

H-4358

1 Amend amendment H-4310, to Senate File 494 on
 2 page 1, line 33, by striking the word "an" and
 3 inserting in lieu thereof the words "a state-
 4 wide elective".

BRUNER of Story

H-4359

1 Amend Senate File 494 as follows:
 2 1. Page 1, by inserting after line 29 the following
 3 section:
 4 "Sec. . Section four hundred twenty-two point
 5 five (422.5), unnumbered paragraph six (6), Code 1979,
 6 is amended to read as follows:
 7 A person who is disabled or is sixty-two years
 8 of age or older and receives an annuity or annuities
 9 from the United States civil service retirement and
 10 disability trust fund, and whose net income, as defined
 11 in section 422.7, is sufficient to require that the
 12 tax be imposed upon it under this section, may
 13 determine final taxable income for purposes of
 14 imposition of the tax by excluding the amount of an
 15 annuity or annuities received from the United States
 16 civil service retirement and disability trust fund,
 17 which are not already excluded in determining net

18 income, as defined in section 422.7, up to a maximum
 19 each tax year of ~~four~~ seven thousand ~~two~~ hundred fifty
 20 dollars for a person who files a separate state income
 21 tax return and ~~six~~ ten thousand ~~five~~ hundred dollars
 22 total for a husband and wife who file a joint state
 23 income tax return. The amount of the exemption shall
 24 be reduced by the amount of any social security
 25 benefits received. For the purpose of this section,
 26 the amount of an annuity or annuities received from
 27 the United States civil service retirement and
 28 disability trust fund taxable under the Internal
 29 Revenue Code of 1954 shall be included in net income
 30 for purposes of determining eligibility under the
 31 four thousand dollar or less exclusion."

CRABB of Crawford
 CONNORS of Polk
 DOYLE of Woodbury
 RAPP of Black Hawk

H—4362

1 Amend the committee amendment H—4325 to Senate
 2 File 494, as passed by the Senate and reprinted, as
 3 follows:
 4 1. Page 2, line 28, by striking the words
 5 "paragraph b" and inserting in lieu thereof the words
 6 "paragraphs b and c".

GROTH of Buena Vista

H—4364

1 Amend Senate File 494 as follows:
 2 1. Page 3, by inserting after line 23 the
 3 following:
 4 "Sec. 5. Section four hundred fifty point four
 5 (450.4), subsection one (1), Code 1979, is amended
 6 to read as follows:
 7 1. When the entire estate of the decedent does
 8 not exceed the sum of ~~one~~ ten thousand dollars after
 9 deducting the debts, as defined in this chapter.
 10 Sec. 6. Section four hundred fifty point nine
 11 (450.9), Code 1979, is amended to read as follows:
 12 450.9 INDIVIDUAL EXEMPTIONS. In computing the
 13 tax on the net estate passing to the surviving spouse,
 14 heirs or beneficiaries of the deceased the following
 15 credits or exemptions shall be allowed:
 16 1. Surviving spouse, eighty one hundred twenty
 17 thousand dollars.
 18 2. Each son and daughter, including legally adopted
 19 sons and daughters, or illegitimate sons and daughters

20 entitled to inherit under the law of this state,
 21 ~~thirty~~ sixty thousand dollars.
 22 3. Father or mother, ~~ten~~ fifteen thousand dollars.
 23 4. Any other lineal descendant of the deceased,
 24 ~~ten~~ fifteen thousand dollars."
 25 2. Page 6, line 8, by inserting after the figure
 26 "1979" the words and figures "and the provisions of
 27 sections five (5) and six (6) of this Act are effective
 28 July 1, 1979 for the estates of decedents dying on
 29 or after July 1, 1979".
 30 3. Amend the title, line 5, by inserting after
 31 the word "indexation," the words "and relating to
 32 the state inheritance tax by increasing the amount
 33 of the estate under which no tax is owed, and
 34 increasing the personal exemptions,".
 35 4. By renumbering and correcting internal
 36 references as required by this amendment.

PERKINS of Greene
 DAVITT of Warren

H-4368

1 Amend Senate File 489, as passed and reprinted
 2 by the Senate, as follows:
 3 1. Page 5, by inserting after line 14 the
 4 following:
 5 "This subsection is effective for members of the
 6 general assembly commencing January 12, 1981."

BYERLY of Polk

H-4370

1 Amend the Senate amendment, H-4031, to House
 2 File 719 as follows:
 3 1. Page 1, by inserting after line 38, the
 4 following:
 5 " . Page 13, by inserting after line 17,
 6 the following:
 7 "Sec. . Section four hundred fifty-five C
 8 point three (455C.3), Code 1979, is amended by
 9 adding the following new subsection:
 10 NEW SUBSECTION. A distributor shall not be
 11 required to pay to a manufacturer a deposit or refund
 13 value on a nonrefillable beverage container." "

PELTON of Clinton
 EVANS of Grundy
 LARSEN of Wapello
 KIRKENSLAGER of Des Moines

H-4371

1 Amend House File 747 as follows:

2 1. Page 2, line 4, by striking the word "fifty-
3 five" and inserting in lieu thereof the word "forty-
4 five".

5 2. Page 2, by striking lines 10 through 35 and
6 inserting in lieu thereof the following:

7	"4 tons.....	5 tons.....	\$60
8	5 tons.....	6 tons.....	\$75
9	6 tons.....	7 tons.....	\$100
10	7 tons.....	8 tons.....	\$135
11	8 tons.....	9 tons.....	\$170
12	9 tons.....	10 tons.....	\$205
13	10 tons.....	11 tons.....	\$240
14	11 tons.....	12 tons.....	\$315
15	12 tons.....	13 tons.....	\$355
16	13 tons.....	14 tons.....	\$395
17	14 tons.....	15 tons.....	\$455
18	15 tons.....	16 tons.....	\$500
19	16 tons.....	17 tons.....	\$540
20	17 tons.....	18 tons.....	\$580
21	18 tons.....	19 tons.....	\$625
22	19 tons.....	20 tons.....	\$690
23	20 tons.....	21 tons.....	\$730
24	21 tons.....	22 tons.....	\$775
25	22 tons.....	23 tons.....	\$815
26	23 tons.....	24 tons.....	\$860
27	24 tons.....	25 tons.....	\$990
28	25 tons.....	26 tons.....	\$1,040
29	26 tons.....	27 tons.....	\$1,085
30	27 tons.....	28 tons.....	\$1,135
31	28 tons.....	29 tons.....	\$1,180
32	29 tons.....	30 tons.....	\$1,230
33	30 tons.....	31 tons.....	\$1,280
34	31 tons.....	32 tons.....	\$1,380
35	32 tons.....	33 tons.....	\$1,430
36	33 tons.....	34 tons.....	\$1,510
37	34 tons.....	35 tons.....	\$1,560
38	35 tons.....	36 tons.....	\$1,610
39	36 tons.....	37 tons.....	\$1,660
40	37 tons.....	38 tons.....	\$1,710
41	38 tons.....	39 tons.....	\$1,760
42	39 tons.....	40 tons.....	\$1,810"

43 3. Page 3, by striking lines 1 through 10.

44 4. Page 3, lines 12 and 13, by striking the words
45 "six hundred twenty-five" and inserting in lieu thereof
46 the words "eight hundred ten".

NORLAND of Worth
HUSAK of Tama

EVANS of Grundy
EGENES of Story
RITSEMA of Sioux

ANDERSON of Audubon
 HOWELL of Floyd
 JESSE of Polk
 HANSON of Delaware
 ANDERSON of Jasper
 POFFENBERGER of Dallas
 CLARK of Cerro Gordo
 WELSH of Dubuque

MULLINS of Kossuth
 MILLER of Buchanan
 MCKEAN of Jones
 SWEARINGEN of Keokuk
 SHIMANEK of Jones
 GROTH of Buena Vista
 KREWSON of Polk

H-4372

- 1 Amend House File 747 as follows:
- 2 1. Page 1, by striking lines 1 through 12.
- 3 2. By renumbering the sections of the bill as
- 4 necessary.

WALTER of Pottawattamie
 KREWSON of Polk
 BINA of Scott
 PAVICH of Pottawattamie

H-4374

- 1 Amend House File 759 as follows:
- 2 1. Page 2, line 35, by striking the words "an
- 3 amount" and inserting in lieu thereof the words "for
- 4 the fiscal year beginning July 1, 1979 a sum not to
- 5 exceed six million dollars, for the fiscal year be-
- 6 ginning July 1, 1980 a sum not to exceed twelve million
- 7 dollars and for the fiscal year beginning July 1,
- 8 1981 and every fiscal year thereafter a sum not to
- 9 exceed eighteen million dollars".
- 10 2. Page 3, line 1, by striking the word
- 11 "sufficient".
- 12 3. Page 3, line 1, by inserting after the word
- 13 "section." the words "However, if the amount
- 14 appropriated in any fiscal year is insufficient to
- 15 pay in full the total approved claims for that fiscal
- 16 year, the state comptroller shall prorate the amount
- 17 so appropriated to the total approved claims."

RAPP of Black Hawk

H-4377

- 1 Amend amendment H-4370 to the Senate amendment,
- 2 H-4031, to House File 719 as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "container." the following: "The provisions of
- 5 section one hundred twenty-three point forty-nine,
- 6 subsection two, paragraph c (123.49 (2) (c)) shall not
- 7 apply to sales of beer by a class "A" beer permit
- 8 holder to a class "C" beer permit holder."

SCHROEDER of Pottawattamie

H—4390

1 Amend House File 761 as follows:

2 1. Page 1, by inserting after line 15 the
3 following:

4 "Sec. . Section four hundred fifty point nine
5 (450.9), Code 1979, is amended by adding the following
6 new subsection:

7 NEW SUBSECTION. Upon determination of the latest
8 adjusted inflation factor, the director shall multiply
9 each dollar amount set forth in subsections one (1),
10 two (2), three (3) and four (4) of this section by
11 that adjusted inflation factor and shall round off
12 the resulting product to the nearest one hundred
13 dollars.

14 Sec. . Chapter four hundred fifty (450), Code
15 1979, is amended by adding the following new section.

16 NEW SECTION. "Adjusted inflation factor" as used
17 in this chapter means a cumulative index, expressed
18 as a percentage, determined pursuant to this section
19 by the director to reflect the purchasing power of
20 the dollar as a result of inflation or deflation since
21 January 1, 1980.

22 The director shall determine the adjusted inflation
23 factor by December thirty-first of each calendar year
24 to be applied in determining the tax imposed for the
25 estates of decedents dying within one year following
26 such December thirty-first. The adjusted inflation
27 factor, to be expressed as a percentage, shall reflect
28 the purchasing power of the dollar as a result of
29 inflation or deflation from January 1, 1980, to the
30 end of the third quarter of the applicable calendar
31 year. The director shall base the determination on
32 the consumer price index for urban wage earners and
33 clerical workers published by the United States
34 department of labor or successor agency. The adjusted
35 inflation factor determined by the director is not
36 a rule as defined in section seventeen A point two
37 (17A.2), subsection seven (7), of the Code.

38 The director shall compute the new dollar amounts
39 as required in section four hundred fifty point nine
40 (450.9) of the Code by multiplying the dollar amounts
41 specified therein to be adjusted by the adjusted
42 inflation factor, rounding off the result to the
43 nearest one hundred dollars, and incorporating the
44 result into the inheritance tax forms and instructions
45 for the applicable calendar year. However, the
46 resulting products shall not reduce the specified
47 dollar amounts below those specified on January 1,
48 1980."

49 2. Amend the title, line 1, by inserting after
50 the word "increasing" the words "and indexing".

Page 2

- 1 3. By numbering and renumbering as required by
- 2 this amendment.

PELTON of Clinton

H-4397

1 Amend House File 764 as follows:

2 1. Page 4, by adding after line 22 the following:

- 3 "14. For allocation to
- 4 the state university of Iowa
- 5 for Phase I construction of
- 6 space needs for law, commun-
- 7 ications, and performing arts.... \$

\$8,400,000"

PATCHETT of Johnson

H-4399

1 Amend House File 759 as follows:

- 2 1. Page 1, line 6, by inserting after the word
- 3 "purposes" the words "and tangible personal property
- 4 and services by a nonprofit hospital".
- 5 2. Page 2, line 22, by inserting after the word
- 6 "purposes" the words "and qualifying tangible personal
- 7 property and services by a nonprofit hospital".
- 8 3. Page 2, line 27, by inserting after the word
- 9 "purposes" the words "and qualifying tangible personal
- 10 property and services by a nonprofit hospital".
- 11 4. Page 2, line 31, by inserting after the word
- 12 "purposes" the words "and qualifying tangible personal
- 13 property and services by a nonprofit hospital".
- 14 5. Page 3, line 5, by inserting after the word
- 15 "purposes" the words "and qualifying tangible personal
- 16 property and services by a nonprofit hospital".
- 17 6. Amend the title, line 3, by striking the words
- 18 "used for agricultural purposes" and inserting in
- 19 lieu thereof the words "and services".

PERKINS of Greene

H-4403

1 Amend the Lonergan and Woods amendment, H-4214,

2 to House File 747, as follows:

- 3 1. Page 1, line 48, by inserting after the word
- 4 "feet." the words "A combination of three vehicles
- 5 in excess of sixty feet but not exceeding sixty-five
- 6 feet may be operated only as follows:

- 7 a. On highways which are fully-controlled access,
8 divided, multilaned highways including the national
9 system of interstate highways designated by the federal
10 highway administration and this state.
11 b. Outside the corporate limits of a city, on
12 four-lane primary roads designated by the department.
13 c. Within the corporate limits of a city, on
14 primary roads designated by the department with the
15 concurrence of the city council.
16 d. Within the corporate limits, of a city on streets
17 other than primary roads as designated by the city
18 council.
19 e. With the approval of the department, upon
20 request of the city council of a city, on an access
21 route of not more than five miles in distance from
22 the corporate limits of a city to a highway within
23 or outside the state on which the combination of three
24 vehicles is permitted by law to operate.
25 f. With approval of the department, upon request
26 of the board of supervisors of a county, on an access
27 route not to exceed one-half mile in distance from
28 a highway specified in paragraph a of this subsection
29 for the purpose of obtaining access to truck service
30 centers and where the operator may obtain food and
31 lodging."

SPEAR of Lee

H-4404

- 1 Amend House File 759 as follows:
2 1. Page 1, line 24, by inserting after the word
3 "Code" the words "or shall be farm machinery or
4 equipment".
5 2. Page 1, line 29, by inserting after the word
6 "equipment" the words "or shall be farm machinery
7 or equipment which is directly or primarily used for
8 farm operations".

DAVITT of Warren

H-4411

- 1 Amend Senate File 499 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 11, by striking line 1 through page
4 12, line 3, and inserting in lieu thereof the following:
5 "Sec. 19. Section two point ten (2.10),
6 subsection one (1), is amended by striking
7 subsection one (1) and inserting in lieu thereof

8 the following:

- 9 1. Travel expenses shall be paid at the rate
 10 established by section eighteen point one hundred
 11 seventeen (18.117) of the Code for actual travel
 12 to and from the seat of government by the nearest
 13 traveled route not more than once per week during
 14 a legislative session. However, any increase in
 15 the mileage rate established by section eighteen
 16 point one hundred seventeen (18.117) of the Code
 17 shall not become effective for members of the
 18 general assembly until the next general assembly
 19 following the session in which the increase is
 20 adopted convenes. This provision shall prevail over
 21 any inconsistent provision of any present or future
 22 statute."
 23 2. Page 12, by striking lines 4 through 29.
 24 3. By renumbering sections as necessary pursuant
 25 to this amendment.

LAGESCHULTE of Bremer

H-4412

- 1 Amend House File 765 as follows:
 2 1. Page 1, by striking lines 24 through 35.
 3 2. Page 2, by striking lines 1 through 31.
 4 3. By renumbering as necessary.

WOODS of Polk
 KIRKENSLAGER of Des Moines
 LORENZEN of Scott
 JOHNSON of Linn
 PERKINS of Greene
 CHIODO of Polk
 LARSEN of Wapello
 HORN of Linn

H-4413

- 1 Amend House File 765 as follows:
 2 1. Page 2, by striking lines 2 through 16.
 3 2. By renumbering the sections in conformance
 4 with this amendment.

WELSH of Dubuque

H-4414

1 Amend Senate File 499 as follows:
 2 1. Page 7, by inserting after line 18 the
 3 following:
 4 NEW SECTION. "Section forty-nine point twenty
 5 (49.20), Code 1979, is amended to read as follows:
 6 49.20 COMPENSATION OF MEMBERS. The members
 7 of election boards shall receive two dollars per
 8 hour an hourly rate which shall be the hourly
 9 rate of pay established for pay grade seven, step
 10 one, under the state merit system, while engaged
 11 in the discharge of their duties and shall be
 12 reimbursed for actual and necessary travel expense,
 13 except that persons whom the commissioner has been
 14 advised prior to their appointment to the election
 15 board are willing to serve without pay at elections
 16 conducted for any school district or a city of
 17 three thousand five hundred or less population shall
 18 receive no compensation for service at those
 19 elections. Compensation shall be paid to members
 20 of election boards only after the vote has been
 21 determined in the course of such canvass that the
 22 election record certificate has been properly
 23 executed by the election board."

WOODS of Polk
 BYERLY of Polk
 CHIODO of Polk

H-4415

1 Amend House File 765 as follows:
 2 1. Page 2, by striking line 26 and inserting
 3 in lieu thereof the following: "four and ~~thirty~~
 4 four thirty-five hundredths dollars for".

SPEAR of Lee

H-4420

1 Amend House File 759 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "purposes" the words "and used mobile homes".
 4 2. Page 1, by inserting after line 29 the
 5 following:
 6 " . The used mobile home is subject to the
 7 semiannual tax imposed under the provisions of section
 8 one hundred thirty-five D point twenty-two (135D.22)
 9 of the Code."
 10 3. Page 2, line 22, by inserting after the word

- 11 "purposes" the words "and qualifying used mobile
 12 homes".
 13 4. Page 2, line 27, by inserting after the word
 14 "purposes" the words "and qualifying used mobile
 15 homes".
 16 5. Page 2, line 31, by inserting after the word
 17 "purposes" the words "and qualifying used mobile
 18 homes".
 19 6. Page 3, line 5, by inserting after the word
 20 "purposes" the words "and qualifying used mobile
 21 homes".
 22 7. Amend the title, line 3, by striking the words
 23 "used for agricultural purposes".

MILLER of Buchanan

H-4428

- 1 Amend House File 759 as follows:
 2 1. Page 3, by inserting after line 1 the follow-
 3 ing new section:
 4 "Sec. . Section four hundred twenty-two point
 5 forty-five (422.45), Code 1979, is amended by adding
 6 the following new subsection:
 7 NEW SUBSECTION. Gross receipts from the sale of
 8 tangible personal property used or to be used in the
 9 maintenance, rehabilitation, or construction of rail-
 10 road track or roadbed, and from the sale of services
 11 rendered in connection with the maintenance, rehabilita-
 12 tion, or construction of the roadbed or track in the
 13 state. The exemption granted by this subsection is
 14 effective until June 30, 1982."
 15 2. Page 3, line 2, by inserting after the word
 16 "of" the words and figure "section one (1) of".
 17 3. Amend the title, line 3, by inserting after
 18 the word "purposes" the words ", exempting tangible
 19 personal property and services used or to be used
 20 in the maintenance and construction of railroad
 21 track and roadbed".

COCHRAN of Webster

SUPPLEMENT TO THE HOUSE JOURNAL**RESOLUTIONS AND BILLS APPROVED, VETOED OR ITEM
VETOED SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills and resolutions passed by the 1979 Regular Session of the Sixty—eighth General Assembly and which action was had subsequent to the date of final adjournment:

- H.F. 2— Increasing the maximum lending limit of a small loan company to two thousand dollars. Approved June 6, 1979.
- H.F. 10— Relating to furnishing prosthetic devices for injured workers. Approved June 5, 1979.
- H.F. 148— Relating to the ownership of land by nonresident aliens and providing penalties. Approved June 10, 1979.
- H.F. 172— Providing that repairs by the seller to new merchandise before sale do not constitute consumer fraud if within prescribed monetary limits. Approved June 6, 1979.
- H.F. 174— Relating to the membership of the boards of adjustment of cities. Approved June 6, 1979.
- H.F. 368— Relating to police activity in gathering evidence which does not constitute the crime of solicitation. Approved June 10, 1979.
- H.F. 418— Relating to the method for electing members of local school district boards of directors, and to the procedure for changing from one optional method to another. Approved June 7, 1979.
- H.F. 421— To allow the Director of Revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law. Approved June 6, 1979.
- H.F. 450— Relating to the responsibilities of a person who acquires a railroad right-of-way outside of a city or contiguous to agricultural land in a city. Approved June 5, 1979.
- H.F. 460— To authorize life insurance companies and associations under Chapter Five Hundred Eleven (511) of the Code to invest in fixed interest-bearing obligations of certain financial companies and obligations of foreign governments, subject to certain limitations. Approved June 6, 1979.
- H.F. 632— Relating to the issuance of bonds to be paid from the revenues received from a local hotel and motel tax, the payment of the principal and interest of the bonds and the limitation on the levying of a tax to aid in the payment of the bonds. Approved June 7, 1979.

- H.F. 647 — Relating to service and compensation for service in county and township government. Approved June 4, 1979.
- H.F. 649 — To amend Iowa Banking Act provisions regarding state bank reports of condition, directors' qualifications, incorporation procedures, reserve requirements, property ownership, interest payments and loans. Approved June 8, 1979.
- H.F. 650 — Relating to partial property tax exemptions for industrial property on which improvements have been made. Approved June 8, 1979.
- H.F. 658 — To authorize real property loans secured by alternative mortgage instruments. Approved June 10, 1979.
- H.F. 659 — Relating to the salary of the administrator of an area education agency. Approved June 4, 1979.
- H.F. 660 — Relating to the financing of elementary and secondary schools, including computation of budget enrollment, providing guaranteed budget growth, establishing the state cost per pupil, additional allowable growth, and state percent of growth, eliminating restrictions on use of additional enrichment moneys, providing a supplementary weighting plan, correcting dates, and striking obsolete sections. Approved June 4, 1979.
- H.F. 662 — Limiting the hotel and motel tax to a tax on sleeping accommodations and making corrective changes in the hotel and motel tax. Approved June 6, 1979.
- H.F. 669 — Requiring a life cycle cost analysis for certain government construction projects. Approved June 4, 1979.
- H.F. 670 — Relating to mining and providing penalties. Approved June 6, 1979.
- H.F. 671 — Relating to the administration of the Bankhead-Jones Farm Tenant Act funds. Disapproved June 10, 1979. See Governor's veto message.
- H.F. 672 — Authorizing ambulance service by townships and authorizing township trustees to divide a township into taxing districts to provide fire protection service. Approved June 4, 1979.
- H.F. 676 — Relating to the sales, service, and use tax by imposing the service tax on all parking facilities, exempting from the tax the gross receipts from laboratory tests on human beings, envelopes for advertising, property purchased for packaging tangible personal property sold at retail, sales and services rendered, furnished, or performed by counties and cities, and transfers of vehicles subject to registration from a sole proprietorship or partnership to a corporation formed by the sole proprietorship or partnership for the purpose of continuing the business of the sole proprietorship or partnership as a corporation, providing that delinquent taxes, penalties, and interest on sales and services provided by cities and counties shall not be collected, and providing for the refund of any sales, service, and use taxes collected after January 1, 1973, from a municipal solid waste facility which have no earnings going to the benefit of an equity investor or stockholder. Approved June 4, 1979.

- H.F. 679— Establishing a commission to review the regulation of occupations. Approved June 4, 1979.
- H.F. 680— Relating to discrimination on the basis of sex and age in conditions of employment and retirement. Approved June 10, 1979.
- H.F. 693— Providing for an individual income tax rebate for 1978 taxes and making an appropriation. Approved May 22, 1979.
- H.F. 706— Relating to the liability of the State of Iowa for actions occurring while the National Guard is not in state service. Approved June 4, 1979.
- H.F. 719— Relating to hazardous waste management and providing penalties and injunctive relief. Approved June 10, 1979.
- H.F. 723— Relating to access to certain sealed records for the purpose of locating county of adoption by an adult adopted person and to the disclosure of medical and developmental information concerning an adult adopted person or person to be adopted and that person's natural parents. Disapproved June 7, 1979. See Governor's veto message.
- H.F. 725— To amend the certificate of need law enacted in 1977, by permitting partial refund of the fee for application for a certificate of need upon withdrawal of the application, by revising the summary review procedure, by providing for review of the council's final decision by the commissioner of health, and by delaying until January 1, 1980 the time when hospitals and health care facilities are required to comply with uniform financial reporting provisions. Approved June 10, 1979.
- H.F. 730— Relating to inspections by inspectors inspecting for self-insurance or group self-insurance purposes of the place of employment. Approved June 5, 1979.
- H.F. 734— Relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research and providing for a penalty. Approved June 10, 1979.
- H.F. 735— Appropriating funds to the Office for Planning and Programming to match economic development and highway safety federal funds. Approved June 4, 1979.
- H.F. 737— Relating to the definition of property which is assessed and taxed as real property by excluding certain buildings and structures placed upon the land, by including transmission towers and antennae not a part of a household, and by providing that certain property is not attached when it ordinarily is removed when the property owner moves to another location and making the act retroactive. Approved June 4, 1979.

- H.F. 738— Making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense. Approved June 10, 1979 with the exception of Section 3, subsection 7. See Governor's item veto message.
- H.F. 742— Relating to and making appropriations to various executive, legislative and judicial departments and agencies. Approved June 10, 1979.
- H.F. 745— Relating to the administration of the motor fuel and special fuel laws. Approved June 4, 1979.
- H.F. 749— Making an appropriation to establish a juvenile victim restitution program. Approved June 7, 1979.
- H.F. 750— To legalize and validate the proceedings of the City of Keokuk in Lee County, in connection with the vacation of the alley in block ten (10), Reeves, Perry and Williams addition to the City of Keokuk, Lee County, Iowa. Approved June 1, 1979.
- H.F. 751— To legalize proceedings taken by the City of Bellevue relating to the letting of certain contracts. Approved June 4, 1979.
- H.F. 752— To legalize the incorporations of the cities of Hills, New Sharon, Montrose, Harris, Buckeye, Westside, Melvin, Remsen, Lawton, Hartwick and Portsmouth. Approved June 1, 1979.
- H.F. 753— To legalize the proceedings of the park board of the City of Monticello, Iowa in connection with the letting of certain contracts. Approved June 1, 1979.
- H.F. 754— Relating to the responsibilities of the Department of Social Services' Division of Adult Corrections for administration of the interstate corrections compact, for determinations regarding admission and discharge of patients of the security medical facility, and for supervision of jails. Approved June 10, 1979.
- H.F. 755— Relating to the administration and financing of current programs under the jurisdiction of the Department of Social Services. Approved June 10, 1979 with the exception of Section 6, subsections 3 and 7; Section 10, subsection 2; Section 11 and Section 17, subsection 4. See Governor's item veto message.
- H.F. 756— Allowing a homestead credit to individuals who own a life estate in the homestead with the reversion interest held by a nonprofit corporation or to individuals who hold an interest in a horizontal property regime under Chapter Four Hundred Ninety-nine B (499B) of the Code. Approved June 4, 1979.
- H.F. 757— Relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that

equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure. Approved June 4, 1979.

- H.F. 758— Establishing and making an appropriation for an elderly care program. Approved June 10, 1979.
- H.F. 762— To legalize proceedings taken by the City of Indianola relating to the letting of certain contracts. Approved June 4, 1979.
- H.F. 763— To legalize proceedings taken by the City of Calmar relating to the letting of certain contracts. Approved June 1, 1979.
- H.F. 764— Making appropriations for capital projects. Approved June 9, 1979 with the exception of Section 5, subsection 2. See Governor's item veto message.
- H.F. 765— Relating to the funding of substance abuse programs by appropriating funds to the Iowa Department of Substance Abuse for administration and program grants and by providing for the transfer of certain funds. Approved June 10, 1979.
- H.F. 766— To make an additional appropriation to the Department of Social Services for the aid to dependent children program during the first quarter of the fiscal year beginning July 1, 1979, and relating to aid to dependent children benefits to expectant mothers and to an increase in the level of aid to dependent children payments. Approved June 10, 1979.
- H.F. 767— Legalizing the execution of the contract for the construction of the state vocational rehabilitation building. Approved June 1, 1979.
- S.F. 1— Allowing county boards of supervisors to levy a tax and distribute moneys to nonprofit historical societies and prohibiting county conservation boards from appropriating funds for nonprofit historical societies. Approved June 1, 1979.
- S.F. 4— Relating to theft of library materials and providing a penalty. Approved June 1, 1979.
- S.F. 9— Relating to motor fuel tax credits. Approved June 1, 1979.
- S.F. 39— Relating to the treatment of free newspapers and shoppers guides under the state sales tax. Approved June 7, 1979.
- S.F. 51— To repeal the chain store tax. Approved June 1, 1979.
- S.F. 88— Making a technical amendment to Section One Hundred Fifty-six Point Nine (156.9), Subsection Three (3), of the Code, for the purpose of continuing the law as it existed prior to amendment in 1978. Approved June 1, 1979.

- S.F. 93 — Relating to the use of diagnostic pharmaceutical agents by optometrists. Approved June 8, 1979.
- S.F. 149 — To change the membership of the Iowa Law Enforcement Academy Council. Approved June 5, 1979.
- S.F. 159 — Making statutory changes which affect the duties, responsibilities and procedures of county treasurers with regard to tax sales, collection of taxes and fees, tax levies, maintenance of records and disposition of county funds. Approved June 1, 1979.
- S.F. 163 — Relating to regulated carriers by providing temporary operating authority for regulated carriers, by establishing uniform regulatory controls for certain commercial carriers, and by requiring interstate carriers exempt from interstate commerce commission regulations to register in this state and instituting an insurance requirement for exempt carriers. Approved June 1, 1979.
- S.F. 164 — Relating to the movement of vehicles of excessive size by permit subject to penalties provided by law. Approved June 5, 1979.
- S.F. 204 — Relating to the registration and titling of nonresident vehicles and specially constructed or reconstructed vehicles. Approved June 1, 1979.
- S.F. 269 — Providing that a board of supervisors may furnish the sheriff with an office anywhere within the county. Approved June 5, 1979.
- S.F. 277 — Relating to separation distances of anaerobic lagoons used in animal feeding operations. Approved June 10, 1979.
- S.F. 280 — To provide a uniform definition of a farm-to-market road system. Approved June 1, 1979.
- S.F. 321 — To increase the interest rate payable to redeem real estate sold for delinquent taxes. Approved June 5, 1979.
- S.F. 361 — Increasing the share of the surviving spouse under the intestate succession laws. Approved June 1, 1979.
- S.F. 362 — To authorize the Iowa Developmental Commission to make loans to local development corporations for certain projects and making an appropriation. Approved June 8, 1979.
- S.F. 373 — Relating to unemployment compensation by limiting benefits through requiring a one-week waiting period for eligibility for benefits, by recomputing partial benefits, by recomputing individual weekly benefit amounts and maximum benefits as a percentage of the statewide average weekly wage to vary with the number of dependents, by reducing certain benefits from thirty-nine to twenty-six weeks, by reducing the percentage of wages credited to an individual's account, by providing thirty-nine weeks of benefits and a greater percentage of wage credits to individuals laid off due to an employer going out of business, by mandating contribution rate table three for fiscal years 1980 and 1981, by exempting severance pay from employer taxation. Approved June 8, 1979.

- S.F. 388 — Relating to the importation, sale and redemption of certain beverage containers and providing penalties. Approved June 1, 1979.
- S.F. 424 — Relating to the filing of objections to estate or property appraisement. Approved June 5, 1979.
- S.F. 425 — Relating to Chapter Five Hundred Three (503) of the Code. Approved June 1, 1979.
- S.F. 450 — Establishing licensing for mobile home dealers, manufacturers, distributors, manufacturer's representatives, distributor's representatives, and travel trailer dealers, manufacturers, distributors, manufacturer's representatives, distributor's representatives, and providing a penalty. Approved June 1, 1979.
- S.F. 462 — Relating to juvenile justice provisions of the Code. Approved June 5, 1979.
- S.F. 471 — Making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the Department of Revenue from the motor vehicle fuel tax fund and to the Department of Job Service from the Iowa public employees' retirement system fund. Approved June 7, 1979 with the exception of Section 8. See Governor's item veto message.
- S.F. 475 — To legalize the proceeding of any county in the state which sold certain county property without offering the property for sale at a public auction. Approved June 1, 1979.
- S.F. 479 — To legalize and validate the proceedings of the Board of Directors of Southwestern Community College Merged Area (Merged Area XIV) in the counties of Adair, Adams, Taylor, Montgomery, Ringgold, Decatur, Clarke, Union, Madison, Lucas, Pottawattamie, Wayne and Page in connection with the levying of taxes and use of funds under Chapter Two Hundred Eighty A (280A) of the Code. Approved June 1, 1979.
- S.F. 485 — Relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state. Approved June 7, 1979 with the exception of Section 10. See Governor's item veto message.
- S.F. 487 — Appropriating funds to state agencies for designated service programs including health programs, civil rights, parole services and programs for minority, elderly and disadvantaged persons. Approved June 1, 1979.
- S.F. 488 — Relating to the state sales and use tax by providing penalties for violations, allowing annual filing and establishing a waiting period before a revoked permit may be restored. Approved June 1, 1979.
- S.F. 489 — Relating to administration and benefits of certain public retirement systems and to make an appropriation. Approved June 5, 1979.

- S.F. 491 — To make appropriations from the general fund and road use tax fund of the state to certain persons in settlement of claims made against the State of Iowa. Approved June 1, 1979.
- S.F. 493 — Relating to membership in the Iowa State Association of Counties. Approved June 5, 1979.
- S.F. 494 — Relating to the state individual income tax by increasing the minimum filing requirements, increasing the standard deduction and the personal exemption credits, indexing the tax brackets and increasing and indexing certain exclusions from income, providing for an interim study of income tax indexation, and making certain provisions of the act retroactive. Approved June 9, 1979.
- S.F. 495 — Relating to additional property tax relief for persons sixty-five years of age or older, surviving spouses fifty-five years of age or older and persons totally disabled by reducing the semiannual mobile home tax rate and by providing for the filing of claims for a credit on the property taxes due in the coming fiscal year, altering the reimbursement and credit schedule for property taxes due or rent constituting property taxes paid, extending the deadline for filing and making clarifying provisions. Approved June 4, 1979.
- S.F. 497 — To make a supplemental appropriation to the Department of Social Services for the medical assistance, foster care and homemaker services programs. Approved June 9, 1979 with the exception of Section 2. See Governor's item veto message.
- S.F. 498 — Making a supplemental appropriation to the State Board of Regents for the purpose of supplementing existing appropriations for fuel and purchased electricity during the fiscal year beginning July 1, 1978. Approved June 1, 1979.
- S.F. 499 — Relating to compensation and benefits for state officials and employees by specifying salary rates and ranges and providing salary adjustments, increasing mileage reimbursement rates for public officers and employees, making coordinating amendments to the Code, and appropriating funds. Approved June 10, 1979.

GOVERNOR'S VETO MESSAGES

June 7, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I am enclosing House File 723, an act relating to access to certain sealed records for the purpose of locating county of adoption by an adult adopted person and to the

disclosure of medical and developmental information concerning an adult adopted person or person to be adopted and that person's natural parents which, in accordance with Article III, Section 16, Constitution of the State of Iowa, I hereby disapprove and transmit to the Secretary of State.

This bill began its legislative journey as House File 68, sponsored by the Honorable B. J. Clark of Cerro Gordo County. Its purpose was to provide a mechanism by which adoptive parents would be assured of receipt of genetic and medical background information about their adopted child. Both the policy and its implementation in that bill were sound. However, in the course of its legislative transformation into House File 723, that implementation became defective in large measure due to an effort, albeit well intentioned, to get that information to the prospective adoptive parents quickly.

Current adoption law now requires that a pre-placement investigation of a prospective adoptive parent be prepared and approved by a licensed or certified investigator before a child is placed in that home for adoption. After termination of parental rights, the prospective adoptive parents are permitted to petition for adoption at which time a post-placement investigator is appointed. Part of that person's duties are to prepare a background report on the natural parents as well as evaluate how well suited the child is to the adoptive home.

The defect in this bill is the requirement that the investigator who has done the pre-placement investigation must also do the background report on the child's natural family.

In independent placements, the person doing the pre-placement investigation of the adoptive parents (perhaps a year earlier) very likely will not be the person working with the natural parent or parents or perhaps even the prospective adoptive parents after placement.

For example, a Sioux City couple is investigated by a Sioux City adoption investigator in July, 1979, and found to be qualified for a placement. This information is given to a Des Moines independent placer who is well acquainted with the Sioux City couple and who participates and assists in the placement of children. A child is born in Des Moines in May, 1980. The best information on that child's genetic, family and medical background is usually secured from interviewing the natural grandparents and other family members of the natural mother and father. This requires securing medical releases, examining records, interviewing the attending doctor, including the pediatrician, tracking down family doctors, etc. The cost of this work would be substantial if the Sioux City investigator were required by law to do it. The problem is compounded if it is an out-of-state couple receiving a child born in Iowa or if the natural mother has come from out of state to stay with friends to have her baby and all the records and her family are elsewhere in the country. This would be especially burdensome on these so-called "interstate compact" adoptions.

Another obvious problem would be the total unavailability of the pre-placement investigator in case of death or permanent absence from the state.

By vetoing this bill, we do not jeopardize the system that is basically sound and favorable. It is rare that a family would want to return a child because of something that was found in his or her background that would not be known or observed at the time the child comes into the home.

I am of the opinion that there is value in adoptive parents having early access to this background information. I support the intent of this bill, but the procedural flaws in it make it impossible to accept and sign.

I have no authority to separate the provisions of this bill, and so, unfortunately, the section which deals with allowing adult adoptees to learn of the county in which their adoption took place will fail also. The legislature can readopt this provision in the next session, and I hope it will.

For the reasons I have touched upon in this letter, I hereby respectfully disapprove this House File 723.

Sincerely,
ROBERT D. RAY
Governor

June 10, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I am enclosing House File 671, an act relating to the administration of the Bankhead-Jones Farm Tenant Act funds which in accordance with Article III, Section 16, Constitution of the State of Iowa, I hereby disapprove and transmit to the Secretary of State.

In my 1979 Budget Message, I recommended the transfer of the Bankhead-Jones funds from the Department of Social Services to the Department of Agriculture to be used for rural development programs. House File 671 accomplishes that goal. Regrettably, because of other provisions contained in this measure, I am compelled to veto this bill; and I hope an improved form will be passed in the 1980 session.

(The Bankhead-Jones funds were first given to the State of Iowa by the federal government in 1950. The 55th General Assembly transferred the money to the Board of Welfare which subsequently became part of the Department of Social Services. The funds have been used primarily for college loans and scholarships for rural youth.)

Two provisions of House File 671 cause me genuine concern. The measure calls for the Secretary of Agriculture to appoint a nine-member committee to establish policy for the use and disposition of funds. Unlike other executive appointments subject to confirmation, the Bankhead-Jones fund committee would have to be confirmed by a four-member legislative panel consisting of the chairpersons and ranking minority members of the Senate and House Agriculture Committees. Courts have not looked favorably upon similar delegations of power that flow from one or both legislative chambers to a small group of legislators. Whether the appointments to the Bankhead-Jones fund committees are made by the Secretary of Agriculture or the Governor, either of which is acceptable to me, they should be confirmed by the entire membership of the Senate.

An even more troublesome provision of House File 671 is the requirement that the Bankhead-Jones fund committee must submit a program plan for the use of the funds. The plan is subject to approval or disapproval by either house of the legislature. If either house disapproves of the plan by concurrent resolution, the committee must prepare and submit an amended plan for reconsideration by the legislature. This process would continue ad infinitum until the plan is approved. In a recent Attorney General's opinion (Osenbaugh to Gallagher, 6-4-79) #79-6-2, it was held that the legislature could not exercise a veto over executive action by the use of a concurrent resolution. A concurrent resolution does not have the force of law nor is it subject to review by the Governor, a provision required by the Iowa Constitution for all bills.

We asked the Attorney General's office to review this provision of House File 671. In the limited amount of time available for review, the Attorney General's office advised that they had serious reservations about the constitutionality of this bill because of the potential violation of the separation of powers. We agree with that judgment.

It is unfortunate that after the considerable work that went into writing House File 671, an acceptable version was not achieved. It is my hope that early in the 1980 session we can agree on a measure to transfer the Bankhead-Jones funds from the Department of Social Services to the Department of Agriculture. In the meantime, the Department of Social Services will continue its renewed effort to expand the use of the Bankhead-Jones moneys.

For the reasons I have touched upon in this letter, I hereby respectfully disapprove this House File 671.

Sincerely,
ROBERT D. RAY
Governor

GOVERNOR'S ITEM VETO MESSAGES

June 7, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit Senate File 471, an act making appropriations to various state regulatory and finance departments, boards and commissions and specifying the full-time equivalent positions for each, and making appropriations to the moneys and credits replacement fund, to the county government assistance fund, to the municipal assistance fund, to the Department of Revenue from the motor vehicle fuel tax fund and to the Department of Job Service from the Iowa public employees' retirement system fund.

Senate File 471 is approved June 7, 1979, with the following exception which I hereby disapprove.

I am unable to approve the item designated as Section 8 which reads as follows:

Sec. 8. Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under this Act shall not be subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balances of any appropriation made under this Act which exists on June thirtieth of a fiscal year shall revert to the fund from which it was appropriated.

Section 8.39 of the Code of Iowa authorizes the Governor and the State Comptroller to transfer funds from one agency to another when the original appropriation has proven to be insufficient to meet the legitimate expenses of the receiving agency. Rarely has the transfer authority been utilized.

However, the legislative authors of 8.39 realized that no budgeting is foolproof. With the flexibility 8.39 provides, we can make necessary adjustments when unforeseen or changing circumstances arise or miscalculations are discovered.

Occasionally the legislature has made appropriations knowing and expecting that a transfer would be made if the original appropriation proved to be insufficient for the intended purpose.

A new safeguard to the transfer authority was added in 1978. Legislation was adopted last year which we accepted requiring notification of various legislators two weeks prior to the transfer of funds for the purpose of review and comment by the legislators. We would be happy to accept and would respect such comments, although to date none have been forthcoming.

We do not anticipate making transfers from or to the appropriations contained in Senate File 471. Yet the restriction in Section 8 sets a bad precedent. Fortunately, none of the other major operating appropriation bills passed by the legislature this year contain similar restrictions.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 471 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 7, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit Senate File 485, an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs of this state.

Senate File 485 is approved June 7, 1979, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 10 which reads as follows:

Sec. 10. Section twenty point three (20.3), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of implementing and administering the provisions of this chapter, the governor shall act as the exclusive representative of the state of Iowa with respect to all state employees, except for faculty, scientific, and other professional staff who are employed at institutions under the authority of the state board of regents, the state board of regents shall act as the exclusive representative of the state of Iowa with respect to its faculty, scientific, and other professional staff.

Simply put, Section 10 provides that the Board of Regents shall have the responsibility for bargaining with respect to faculty, scientific and other professional staff employed at Regents' institutions. The Governor would be responsible for bargaining for the remainder of state employees.

The issue as to who is the employer for purposes of implementing collective bargaining pursuant to Chapter 20 has been addressed by the Iowa Public Employment Relations Board (PERB) which ruled "that the State of Iowa is the public employer of all state employees for the purpose of collective bargaining under the act..." PERB concluded that an individual department, including the Board of Regents, did not constitute a separate employer for purposes of implementing Chapter 20. That decision was appealed and subsequently sustained by the Supreme Court of Iowa. Therefore, the contention that the State Board of Regents is the employer and not the Governor was reviewed and rejected by the Iowa Supreme Court.

Subsequent to the PERB decision in 1976, riders have been attached to the Board of Regents appropriation bills designating the Regents as the employer for their faculty, professional and scientific employees. Written as conditions to the Regents appropriations and, therefore not severable through an item veto, the riders have, nonetheless, been held by PERB not to overrule their earlier decision which was based on permanent, statutory language. Senate File 485 also contains such a rider.

All boards, departments, and agencies carry out the policies of the executive branch of state government through their employees. The Iowa Constitution establishes the Governor as the chief executive and provides our agencies, boards, and commissions to be accountable to the people through the Governor. The Governor has constitutional and statutory responsibilities for supervising the executive branch of state government including preparation of the state budget that is submitted to the legislature.

The concept of collective bargaining grants to employees the ability to negotiate certain terms and conditions of their employment with their employer, and by its very nature places additional restrictions and constraints upon the operation of state government. Inherent in the concept of bargaining is the potential for government to

be whipsawed by the various employee bargaining units with the result being inconsistent treatment of employees and lack of uniformity in employee benefits.

Obviously it would be almost impossible to conduct collective bargaining if every agency was considered a different bargaining employer. To single out one particular agency for that purpose alone is not wise.

Proponents of Section 10 have argued that it would prevent interference in academic freedom at our state universities. Academic freedom has been and remains an important concept to us. Academic freedom can be protected by the Governor as well as, if not better than, the legislature. As a matter of fact, I have heretofore delegated the responsibility of bargaining under Chapter 20 to the Board of Regents for its faculty and academically-related professionals. We think this method is proper, and it has and continues to work effectively.

Since Senate File 485 makes appropriations to our educational agencies for the next biennium, this bill is subject to the item veto. For the above reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 485 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 9, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 764, an act making appropriations for capital projects.

House File 764 is approved June 9, 1979, with the following exception which I hereby disapprove.

I am unable to approve that portion designated in the Act as the final sentence of Section 5, Subsection 2 which reads as follows:

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated by this section shall not be transferred or used for any purpose other than the purposes stated in this Act.

Section 8.39 of the Code of Iowa authorizes the Governor and the State Comptroller to transfer funds from one agency to another when the original appropriation has proven to be insufficient to meet the legitimate expenses of the receiving agency. The transfer authority has only been used infrequently.

However, the legislative authors of 8.39 realized that no budgeting is foolproof. With the flexibility 8.39 provides, we can make necessary adjustments when unforeseen or changing circumstances arise or miscalculations are discovered.

Occasionally the legislature has made appropriations knowing and expecting that a transfer would be made if the original appropriation proved to be insufficient for the intended purpose.

A new safeguard to the transfer authority was added in 1978. Legislation was adopted last year which we accepted requiring notification of various legislators two weeks prior to the transfer of funds for the purpose of review and comment by the legislators. We would be happy to accept and would respect such comments, although to date none have been forthcoming.

The amount of money (\$50,000) to which the transfer limitation applies is a very small part of this capitals appropriation bill which appropriates more than \$60 million. While this particular transfer limit would not affect much nor is the need anticipated to transfer any of this money, it would be an unwise precedent to accept.

For the above reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 764 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 9, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit Senate File 497, an act to make a supplemental appropriation to the Department of Social Services for the medical assistance, foster care and homemaker services programs.

Senate File 497 is approved June 9, 1979, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 2 which reads as follows:

Sec. 2. Any unencumbered or unexpended funds not used for the purposes specified in section one (1) of this Act and remaining on June 30, 1979, shall revert to the general fund of the state. Notwithstanding section eight point thirty-nine (8.39) of the Code, funds appropriated by this Act shall not be subject to transfer or expenditure for any purpose other than the purposes specified in section one (1) of this Act.

Section 8.39 of the Code of Iowa authorizes the Governor and the State Comptroller to transfer funds from one agency to another when the original appropriation has proven to be insufficient to meet the legitimate expenses of the receiving agency. The transfer authority has only been used infrequently.

However, the legislative authors of 8.39 realized that no budgeting is foolproof. With the flexibility 8.39 provides, we can make necessary adjustments when unforeseen or changing circumstances arise or miscalculations are discovered.

Occasionally the legislature has made appropriations knowing and expecting that a transfer would be made if the original appropriation proved to be insufficient for the intended purpose.

A new safeguard to the transfer authority was added in 1978. Legislation was adopted last year which we accepted requiring notification of various legislators two weeks prior to the transfer of funds for the purpose of review and comment by the legislators. We would be happy to accept and would respect such comments, although to date none have been forthcoming.

It is most unlikely that funds contained in this supplemental appropriation bill would need to be transferred. Certainly there are no intentions of doing so during the short period that remains in the current fiscal year. But, perhaps this item veto will serve as another reminder that government must have some flexibility.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 497 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 10, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 738, an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

House File 738 is approved June 10, 1979, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 3, Subsection 7 which reads as follows:

7. Of the funds appropriated each year to the department of public safety under this section, the amounts of one hundred twenty thousand (120,000) dollars from the inspection and security function appropriated under subsection two (2) of this section and sixty thousand (60,000) dollars from the division of highway safety and uniformed force appropriated under subsection four (4) of this section is for providing security for the governor's mansion and the personal protection of the governor.

This item earmarks \$180,000 to be used for security at Terrace Hill and for the Governor during each year of the next biennium. That amount is exactly what the legislature appropriated for the same purpose for fiscal year 1978-79.

The legislature this year consistently appropriated funds to meet the costs of the 27th pay period and merit salary increases. A careful study of the appropriations for the Department of Public Safety shows the inspection and security function and the division of highway safety and uniformed force appropriations include funds to meet these obligatory increased costs for security of Terrace Hill and the Governor. Section 3, Subsection 7, however, since it does not reflect the increased costs, is inconsistent with that appropriation and, therefore, should be removed.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 738 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

June 10, 1979

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
Local

Dear Mr. Secretary:

I hereby transmit House File 755, an act relating to the administration and financing of current programs under the jurisdiction of the Department of Social Services:

House File 755 is approved June 10, 1979, with the following exceptions which I hereby disapprove.

I am unable to approve that portion of Section 6, Subsection 3 which reads as follows:

In addition, each county which pays, from county funds, the costs of care and treatment of mentally ill persons transferred from a state mental health institute to a public or private inpatient treatment facility, other than a state mental health institute, is entitled to reimbursement from the state for a portion of the cost incurred by the county for each day an

individual is so treated or cared for at county expense. However, such reimbursement shall only apply to patients admitted to the facility after February 1, 1980. The reimbursement shall be equal to twenty percent of the average of the four state mental health institutes' individual average daily patient costs for the most recent quarter.

Each county may claim the reimbursement by filing a claim for such reimbursement on a quarterly basis. The comptroller, upon verifying the claim, shall issue warrants to the respective counties drawn upon money in the general fund not otherwise appropriated.

I am unable to approve the item designated in the Act as Section 6, Subsection 7 which reads as follows:

7. It is the intent of the general assembly that the proposed upgrading and expansion of staffing at the four mental health institutes be phased-in over the biennium, with up to one-half of the proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1979 and with the remaining proposed staff upgrading and expansion occurring in the fiscal year beginning July 1, 1980.

I am unable to approve the item designated in the Act as Section 10, Subsection 2 which reads as follows:

2. It is the intent of the general assembly that assistance shall be granted under chapter two hundred thirty-nine (239) of the Code to an expectant mother experiencing her first pregnancy and in the last trimester of pregnancy if she meets other income and resource standards for the aid to dependent children program. The mother and fetus together shall be treated as a one-person family with assistance payable to the mother as an eligible group of one. The department of social services shall promulgate rules and regulations, pursuant to chapter seventeen A (17A) of the Code to implement this subsection on October 1, 1979.

I am unable to approve the item designated in the Act as Section 11 which reads as follows:

Sec. 11. If the United States department of health, education and welfare regulations allow such a policy, the department of social services shall adopt administrative rules pursuant to chapter seventeen A (17A) of the Code which provide that in determination of eligibility for assistance under the aid to dependent children program established by chapter two hundred thirty-nine (239) of the Code, there shall be recognition of a stepparent's responsibility for the reasonable and necessary expenses of the family and the education of the children as long as the stepparent remains married to the stepchild's parent. In adopting such rules, the department shall give consideration to any financial obligations the stepparent may have as a result of court orders, or of commitments made prior to the marriage.

I am unable to approve the item designated in the Act as Section 17, Subsection 4 which reads as follows:

4. It is the intent of the general assembly that of the appropriation made by section eight (8), subsection six (6) of this Act, one million (1,000,000) dollars shall be used to provide in-home treatment and seven hundred fifty thousand (750,000) dollars shall be used to provide alternatives to foster care. It is the intent of the general assembly that in-home treatment programs which were funded through state and federal Title XX funds in the fiscal year beginning July 1, 1978 shall be maintained at their current program operating level through funds provided pursuant to this subsection. Federal Title XX funds may be used to match, but not to replace, funds provided pursuant to this subsection. The department shall submit to the appropriations subcommittee on social services by December 1, 1979 a report of the actual expenditures during the first quarter of the fiscal year beginning July 1, 1979 for all programs within the children's services appropriation.

A portion of Section 6, Subsection 3 requires the state to pay a percentage of the cost of care of individuals transferred from mental health institutes to other facilities if their care is still county-supported. The state is planning a mental health reorganization within the next year with possible changes in funding mechanisms. The language of a portion of this subsection might pre-empt wise and orderly revision and would cost an estimated \$1.3 million beyond which has been planned.

We believe funding should be addressed as a part of the complete reorganization. At present, for example, no planning has been done to incorporate the new Sidney Sands Center into a statewide system. Originally Polk County did not wish their services to be part of a state system. Their center was intended to be a lower-cost alternative to the mental health institutes. Estimates now indicate that the cost will be close to double that of the state institutes. Thus, Polk County now wishes state assistance and because of that wants to be included.

While the state in recent years has been obligated to pay 20 percent of the care of patients in our mental health institutes, actual figures show the state's participation has been approximately 33 percent. In addition, the state is planning to increase its participation by approximately 7 percent in FY 80 by crediting to the counties \$2 million in Title XIX medicaid reimbursement received for care of patients at the institutes.

Since county budgets were finalized by local officials before this bill was passed, there could have been no reliance on these funds for FY 80.

The language of this section is also imprecise and does not adequately clarify the following:

Does "inpatient treatment facility" refer only to hospital psychiatric units, or should it include residential or intermediate care facilities, county care facilities, residential care for children, physical medicine hospital units, halfway houses, or others?

Does the state's obligation apply only to the immediate transfer from a mental health institute, or also to subsequent transfers to other facilities at a later date?

It appears that payment mandated under this subsection could exceed 100 percent of the total cost of care of a transferred patient in cases of transfer to residential care of a halfway house.

There is no clarification regarding the extent nor type of the counties' participation in the care of any patient under this subsection.

Section 6, Subsection 7 requires mental health institutes to delay half their proposed upgrading of staff positions until fiscal 1981. The staff upgrading proposed for Cherokee and Independence results from JCAH accreditation reviews. Both of these mental health institutes will receive their next scheduled accreditation reviews prior to the end of the 1980 fiscal year. Failure to respond to the recommendations of the previous review could endanger continued accreditation.

Section 10, Subsection 2 provides Aid to Families with Dependent Children and medical benefits to a woman in the last trimester of her first pregnancy as a one-person unit. Subsequent to the passage of House File 755, it was discovered that the General Assembly had overlooked a federal requirement that some part of the grant be set aside for the fetus, identifying it as a child. Also, the language of this subsection limited coverage to first pregnancies, although the intent was to cover any woman without children, even though the pregnancy might not be her first. House File 766 was drafted and passed to correct these errors. To remove any ambiguities regarding which language should prevail, we are removing the incorrect language from House File 755.

Section 11 requires the Department of Social Services to establish rules as allowed by the Department of Health, Education and Welfare defining the financial responsibility of stepparents. This section presents unnecessary legal complications for the department as follows:

The requirement for the establishment of such rules may result in financial sanctions against the state by HEW consisting of the withdrawal of federal matching funds for Aid to Families with Dependent Children.

Current federal law sets out in definitive terms State options in establishing stepparent responsibility. The State of Iowa has solicited an opinion from HEW as to whether or not Iowa's law permits this state to assess stepparents for support in cases where Aid to Families with Dependent Children has been requested. This section is premature in that this opinion has not yet been received.

This section could be interpreted to require a greater obligation on the part of a stepparent than that set by the court or by Section 252A of the Code of Iowa, 1979.

No definition of stepparent is offered nor distinction established between a stepparent married to a custodial natural parent or to a non-custodial natural parent.

We agree with the intent indicated in Section 17, Subsection 4 and have the assurance of the Department of Social Services that it will be carried out. However, the language presents unnecessary complications.

The second sentence of the subsection requires that in-home treatment programs funded in FY 79 be maintained at their "current program operating level." There were three changes in allocation for in-home treatment during FY 79, and there is no indication as to which of these levels should be used in defining "current." Several differing opinions have already been offered.

It is unclear whether "operating level" refers to the number of dollars spent on those programs (which won't be known precisely until the end of September 1979) or the quality of those programs (which is a clearly subjective determination).

The language as drafted was not comprehensive since it makes no mention of services not funded under Title XX. If these budget constraints are applied, the department would be forced to discriminate arbitrarily against other in-home treatment programs which may be viewed as worthy of funding.

In addition to those items which I am disapproving, I would like to clarify my approval of one subsection. Section 1, Subsection 2 substantially reduces the budget of the Bureau of Communications. The bureau fills many valuable roles, some federally mandated, such as food stamp outreach programs. Cutting the budget as drastically as this section does may damage the programs as well as endanger federal compliance. I am leaving this section intact with the understanding that the \$50,000 limitation applies only to state-appropriated dollars and that the department may supplement the activities of this bureau with help from other department resources, if necessary to meet its mandated responsibilities.

For these reasons, I hereby disapprove these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 755 are hereby approved this date.

Sincerely,
ROBERT D. RAY
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

May 14, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that, Senate File 448, was published in The Record, Cedar Falls, Iowa on May 8, 1979, and in the Lee Town News, Des Moines, Iowa on May 10, 1979.

Respectfully submitted,
J. HERMAN SCHWEIKER
Deputy Secretary of State

May 16, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 95, was published in the Globe-Gazette, Mason City, Iowa on April 20, 1979 and in The Des Moines Register, Des Moines, Iowa on May 11, 1979.

I further certify that House File 694, was published in the Hampton Chronicle, Hampton, Iowa on May 10, 1979 and in the Eagle Grove Eagle, Eagle Grove, Iowa on May 9, 1979.

Sincerely,
J. HERMAN SCHWEIKER
Deputy Secretary of State

May 18, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 61, was published in The Des Moines Register, Des Moines, Iowa on May 12, 1979, and in the Quad-City Times, Davenport, Iowa on May 11, 1979.

Sincerely,
J. HERMAN SCHWEIKER
Deputy Secretary of State

May 21, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 451, was published in the Globe-Gazette, Mason City, Iowa on May 11, 1979, and in the West Des Moines Express, West Des Moines, Iowa on May 17, 1979.

Respectfully submitted,
J. HERMAN SCHWEIKER
Deputy Secretary of State

May 22, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 657, was published in The Independent, Hawarden, Iowa on April 26, 1979 and in The Council Bluffs Nonpareil, Council Bluffs, Iowa on April 20, 1979.

I further certify that House File 712, was published in the Postville Herald, Postville, Iowa on May 9, 1979 and in the Waukon Democrat, Waukon, Iowa on May 10, 1979.

I further certify that Senate File 478 was published in The Denison Bulletin, Denison, Iowa on May 10, 1979, and in the Adams County Free-Press, Corning, Iowa on May 10, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

May 24, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 376, was published in The Daily Reporter, Spencer, Iowa on May 11, 1979, and republished May 21, 1979; and in The Sioux City Journal, Sioux City, Iowa on May 14, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

June 4, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 693, was published in the Marshalltown Times-Republican, Marshalltown, Iowa on May 26, 1979, and in the Muscatine Journal, Muscatine, Iowa on May 25, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

June 14, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 498, was published in the Ames Daily Tribune, Ames, Iowa on June 6, 1979, and in The Daily Freeman-Journal, Webster City, Iowa on June 8, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

June 15, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 88, was published in the Muscatine Journal, Muscatine, Iowa on June 7, 1979, and in the Daily Gate City, Keokuk, Iowa on June 8, 1979.

I further certify that Senate File 280, was published in the Muscatine Journal, Muscatine, Iowa on June 7, 1979, and in the Fort Dodge Messenger, Fort Dodge, Iowa on June 7, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

June 19, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 706, was published in The Thompson Courier, Inc., Thompson, Iowa on June 14, 1979, and in the Marshalltown Times-Republican, Marshalltown, Iowa on June 11, 1979.

I further certify that House File 737, was published in the State Center Enterprise, State Center, Iowa on June 13, 1979, and in the Globe-Gazette, Mason City, Iowa on June 12, 1979.

I further certify that Senate File 362, was published in the Urbandale News, Urbandale, Iowa on June 14, 1979 and in The Waterloo Courier, Waterloo, Iowa on June 13, 1979.

Sincerely,
MELVIN D. SYNHORST
Secretary of State

June 22, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that House File 662, was published in The Marion Sentinel, Marion, Iowa on June 14, 1979, and in The Manchester Press, Manchester, Iowa on June 13, 1979.

I further certify that House File 735, was published in The Graettinger Times, Graettinger, Iowa on June 14, 1979, and in The Waverly Democrat, Waverly, Iowa on June 14, 1979.

I further certify that Senate File 497 and Governor Ray's item veto message were published in entirety in the Le Mars Daily Sentinel, Le Mars, Iowa on June 14, 1979, and in The Villisca Review and Stanton Viking, Villisca, Iowa on June 21, 1979.

Sincerely,
MELVIN D. SYNHORST
Secretary of State

June 26, 1979

David L. Wray
Chief Clerk of the House
State Capitol Building
Des Moines, Iowa

I hereby certify that Senate File 277, was published in the Carroll Daily Times-Herald, Carroll, Iowa on June 13, 1979, and in the Allamakee Journal, Lansing, Iowa on June 20, 1979.

Respectfully submitted,
MELVIN D. SYNHORST
Secretary of State

IN MEMORIAM

House

Memorials adopted by the House of Representatives, 1979 Regular Session of the Sixty-eighth General Assembly, commemorating the life, character, and public service of former members of the House of Representatives who had departed this life since the last regular session of the General Assembly.

LYNN F. BATTLES, SR. December 14, 1910—January 24, 1979

DALE THERON CROSIER April 14, 1903—April 16, 1979

LYNN F. BATTLES, SR.

Mr. Speaker: Your committee appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Lynn F. Battles, Sr., begs leave to submit the following memorial:

Lynn F. Battles, Sr., was born on December 14, 1910 in Haynes, North Dakota, son of Mr. and Mrs. D. C. Battles. He graduated from Maquoketa High School in 1928. He married Helen Gisel in 1938 and to this union were born two-children: Lynn F., Jr. and Gary Owen. Lynn F. Jr., preceded him in death.

Mr. Battles was an early pioneer of the trucking business in eastern Iowa. He was a farmer, livestock feeder and dealer. He was a member of the United Methodist Church, past president of Jackson County Fair Association, a county 4-H advisory leader from 1950 to 1964, Jackson County Farm Bureau president from 1959-1960, and one of the three founders and past director of Maquoketa State Bank.

Representative Battles, a Republican, was a member of the Sixty-second and Sixty-third sessions of the General Assembly.

Mr. Battles passed away January 24, 1979, and is survived by his wife, Helen, and their son Gary, six grandchildren and three sisters.

Therefore, Be It Resolved by the House of Representatives of the Sixty-eighth General Assembly of Iowa: That in the passing of the Honorable Lynn F. Battles, Sr., 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.

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.

ANDY McKEAN
NANCY SHIMANEK
JOSEPH WELSH

Committee

DALE T. CROSIER

Mr. Speaker: Your committee appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Dale Theron Crosier, begs leave to submit the following memorial:

Dale Theron Crosier was born April 14, 1903, in Delaware County, Iowa and raised in Manchester, Iowa. He was the son of Theron and Densia Crosier. Mr. Crosier was graduated from Manchester schools in 1922. He married A. Marie Finley in 1930 in Vermillion, South Dakota and to this union one son, Dale Finley, was born.

Mr. Crosier was a salesman at Armstrong's in Cedar Rapids for twenty years. He was previously employed by I.S. Martin in Sioux City, Iowa. He was a member of the Presbyterian Church, Eagles, United Commercial Travelers, Cedar Rapids Traveling Men's Club, Iowa Historical Society, State Historical Society, Delaware County Historical Society and National Geographic Society.

Representative Crosier was a member of the Sixty-first and Sixty-third sessions of the General Assembly. He passed away April 16, 1979 and is survived by his wife, Marie, and their son, Dale, and four grandchildren.

Therefore, Be It Resolved by the House of Representatives of the Sixty-eighth General Assembly of Iowa: That in the passing of the Honorable Dale Theron Crosier, 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.

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.

JAMES WELLS
ROBERT JOHNSON
MYRON OXLEY

Committee

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Amendments offered—657, 863

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ANDERSON, JAMES O.—Representative Audubon-Carroll-Cass-Crawford-Greene-Guthrie-Shelby Counties

Amendments filed—303, 342-344, 931, 941, 1115-1116, 1218, 1262, 1347, 1348, 1423, 1553, 1617, 1713, 1727, 1741, 1888, 2124, 2229, 2342

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ANDERSON, ROBERT T.—Representative Jasper-Marion-Polk-Warren Counties, Assistant Minority Floor Leader

Amendments filed—102, 103, 199, 200, 235, 236, 303, 328, 342-344, 731, 732, 742, 796, 797, 941, 941-942, 985, 1018, 1237, 1273, 1274, 1306, 1423, 1424, 1503, 1526, 1554, 1581, 1582, 1713-1714, 1714, 1781, 1781-1782, 1782, 1813, 1814, 1821, 1834, 1853, 1854, 1973, 2008-2009, 2029, 2031, 2091-2092, 2093, 2099-2100, 2152, 2229, 2235

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Subcommittee assignments—28

ASSISTANT MAJORITY FLOOR LEADERS—

John H. Clark, Representative Lee-Henry Counties
(See Clark, John H.—Representative Lee-Henry Counties, Assistant Majority Floor Leader)

Ingwer L. Hansen, Representative Clay-Dickinson-Lyon-O'Brien-Osceola-Sioux Counties.

(See Hansen, Ingwer L.—Representative Clay-Dickinson-Lyon-O'Brien-Osceola-Sioux Counties, Assistant Majority Floor Leader)

Patricia L. Thompson, Representative Polk County

(See Thompson, Patricia L.—Representative Polk County, Assistant Majority Floor Leader)

ASSISTANT MINORITY FLOOR LEADERS—

Robert T. Anderson, Representative Jasper-Marion-Polk-Warren Counties

(See Anderson, Robert T.—Representative Jasper-Marion-Polk-Warren Counties, Assistant Minority Floor Leader)

Gregory D. Cusack, Representative Scott County

(See Cusack, Gregory D.—Representative Scott County, Assistant Minority Floor Leader)

Philip A. Davitt, Representative Adair-Clarke-Dallas-Madison-Warren Counties

(See Davitt, Philip A.—Representative Adair-Clarke-Dallas-Madison-Warren Counties, Assistant Minority Floor Leader)

Norman G. Jesse, Representative Polk County

(See Jesse, Norman G.—Representative Polk County, Assistant Minority Floor Leader)

AVENSON, DONALD D.—Representative Bremer-Chickasaw-Fayette-Howard-Winneshiek Counties, Minority Floor Leader

Amendments filed—102, 103, 199, 200, 235, 285, 328, 342-344, 491, 732, 770, 796, 797, 941, 985, 1273, 1274, 1347, 1423, 1424, 1459, 1526, 1546, 1555, 1618, 1656, 1741, 1813, 1814, 1854, 1885-1886, 1944, 1999-2000, 2020, 2099, 2124, 2168-2169, 2228

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BINA, ROBERT F.—Representative Scott County

Amendments filed—85, 91, 102, 103, 199, 209-210, 214, 235, 236, 296-297, 303, 328, 342-344, 347, 796, 797, 917, 941-942, 1034, 1071, 1116, 1147, 1237, 1273-1274, 1274, 1293, 1306, 1401, 1423, 1502, 1503, 1527, 1554, 1656, 1713, 1783, 1837, 1854, 1899, 2020, 2229

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Amendments filed—103, 199, 328, 331, 342-344, 469, 491, 796, 941, 941-942, 987, 1034, 1116, 1164, 1182, 1218, 1237, 1273-1274, 1274, 1348, 1423, 1503, 1554, 1713, 1714, 1741, 1854, 1899, 1945, 1984, 2020, 2124, 2213

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BRANSTAD, CLIFFORD—Representative Emmet Hancock-Kossuth-Winnebago Counties

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BRUNER, CHARLES H.—Representative Story County

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 - Subcommittee assignments — 28
- HALL, HURLEY W.** — Representative Linn County
- Amendments filed — 103, 199, 296, 303, 328, 342-344, 389, 511, 512, 731, 748-749, 796, 797, 941-942, 984, 1206, 1218, 1219, 1273-1274, 1274, 1401, 1423, 1527, 1581, 1655, 1713, 1781, 1781-1782, 1782, 1854, 2309-2310
 - Amendments offered — 340, 359-360, 746-748, 748-749, 1206, 1415
 - Bills introduced — 16, 472, 568, 578, 579, 581, 603, 615, 631, 649, 650, 651
 - Committee appointments — 25, 27
 - Petitions presented — 447, 567
 - Resolutions offered — 2224-2225, 2293-2294
 - Subcommittee assignments — 28
- HALVORSON, ROD N.** — Representative Webster County
- Amendments filed — 103; 328, 342-344, 512, 797, 941-942, 984, 1034, 1116, 1147, 1148, 1182, 1213, 1217-1218, 1237, 1273, 1274, 1347, 1347-1348, 1423, 1424, 1503, 1526, 1527, 1555, 1713, 1854, 1891-1893, 1931, 2124, 2203, 2228
 - Amendments offered — 1208, 1209, 1891-1893, 1931
 - Amendments withdrawn — 522, 1208
 - Bills introduced — 189, 199, 331, 391, 400, 471, 536, 579, 583, 615, 647, 648, 649, 650, 651, 653, 655
 - Committee appointments — 25, 27, 2111
 - Reports — 2289-2290

Resolutions offered—1874-1875, 2224-2225, 2293-2294

Subcommittee assignments—28

HALVORSON, ROGER A.—Representative Allamakee-Clayton-Winneshiek Counties, Majority Floor Leader

Amendments filed—91, 342-344, 446, 469, 732, 770, 796, 1212, 1213, 1262, 1555, 1885-1886, 2021

Amendments offered—241, 243, 264-265, 540-541, 1885-1886

Amendments withdrawn—522

Announced the appointment of Representative Andy McKean to the Joint Interfr Legislative Committee—362

Bills introduced—16, 18, 189, 198, 199, 237, 238, 471, 493, 651, 651-652, 1901, 1946, 2244, 2280, 2379

Bills referred to committee—1710-1711

Committee appointments—25, 27, 2393

Presented to the House, Chris Walter, 1979 Clayton County Pork Queen—1200

Presented to the House, Mary Ann Lizares, rotary exchange student from Baccold, Phillipines—1200

Presented to the House, Shirley Dickey, President of the Iowa Division, National Secretary's Association—1722

Previous question on the following:

House File 315—1212

House File 654—1141-1142

House File 691—1067-1068

House File 693—1262

House File 707—1202

House File 734—1737

House File 738—1769

House File 742—1819

House File 755—2029, 2030

House File 764—2308

House Resolution 5—252

Senate File 373—1430-1431

Senate File 471—1959

Senate File 499—1367

Resolutions offered—11, 96, 122, 154, 155, 301, 306-307, 362, 456, 540, 1179-1180, 2293-2294, 2385

HANSEN, INGWER L.—Representative Clay-Dickinson-Lyon-O'Brien-Osceola-Sioux Counties

Amendments filed—302, 342-344, 796, 941-942, 984, 1007, 1262, 1347, 1502, 1714, 1838-1839, 1886, 2180, 2261-2262, 2366-2367, 2374-2375

Amendments offered—890, 1338, 1356, 1571, 2201

Bills introduced—16, 120, 121-122, 153, 190, 202, 202-203, 240, 301, 306, 330, 350, 376-377, 377, 378, 399, 400, 454, 472, 472-473, 492, 536, 538, 551-552, 568, 568-569, 578, 579, 581, 584, 584-585, 617, 620, 628, 631, 644, 648, 651, 655-656

Committee appointments—25, 26, 27, 43, 2111

Petitions presented—909

Presented the name of the Honorable Floyd H. Millen for Speaker of the House—7

Remarks by—7

Reports—2289-2290

Resolutions offered—88-89, 332, 392, 450, 1998-1999, 2293-2294

Subcommittee assignments—28

HANSON, DARRELL R.—Representative Clayton-Delaware-Dubuque-Fayette Counties

Amendments filed—104, 235, 296, 303, 342-344, 347, 511, 732, 770, 796, 984, 1218, 1219, 1262, 1526, 1527, 1555, 1618, 1655, 1713, 1854, 1874-1875, 1877-1878, 1890-1891, 2064, 2229, 2309-2310, 2342

Amendments offered—522, 1567, 1570, 1730, 1890-1891

Bills introduced—18, 189, 306, 348, 376-377, 391, 398-399, 537, 560, 561-562, 568-569, 578, 579, 583, 584, 584-585, 642, 647, 648, 649-650, 650, 651, 652, 654

Committee appointments—25, 26, 27

Resolutions offered—1793, 2224-2225, 2293-2294

Subcommittee assignments—28

HARBOR, WILLIAM H.—Representative Fremont-Mills-Montgomery-Page Counties, Speaker Pro Tempore

Amendments filed—91, 198, 199, 342-344, 446, 469, 899, 1218, 1262, 1474, 1527, 1581, 1713-1714, 1714, 1881, 1886, 2124, 2138, 2366-2367, 2374-2375

Amendments offered—474-475, 475-476, 899, 1735, 1747-1748, 1748

Appointed to the Legislative Council—247

Appointments announced—623

Bills introduced—16, 18, 202, 240, 300, 376-377, 391, 400, 472, 472-473, 516, 536, 560, 569, 569-570, 579, 582, 584-585, 603, 618, 634, 646, 651, 656

Committee appointments—10, 25, 27, 247, 542, 2149, 2393, 2394

Committees appointed by—1606-1607, 1607

Elected Speaker pro tempore—12-14

Invited Representatives Larsen and Holt to the Speaker's station, for special presentation in honor of the twenty-five anniversary of the United States Air Force Academy—1220-1221

Petitions presented—1308

Presentation of visitors—613, 1159-1160, 1221, 1315-1316, 1711-1712, 1896-1897

Presided at sessions of the House—613, 946, 1110, 1156, 1159, 1220, 1315, 1317, 1601, 1685, 1757, 1816, 1830, 1885, 1950, 1962, 2204, 2235, 2247, 2261

Remarks—14

Resolutions offered—433, 623, 774-775, 945, 2293-2294

Rulings made—1110, 1162, 1164, 1226, 1604, 1605, 1608, 1690, 1702, 1760, 1761, 1891, 1893, 1965, 1970, 1976

Subcommittee assignments—28

Welcomed the Pioneer Lawmakers on behalf of the House—1360

HIBBS, DALE W.—Representative Johnson County

Amendments filed—342-344, 796, 984, 1213, 1218, 1262, 1474, 1502, 1554, 1618, 1781, 1854, 2020, 2043, 2228, 2342

Amendments offered—2026

Bills introduced—16, 18, 189, 190-191, 300, 400, 431, 472, 578, 579, 604, 620, 632, 633, 634, 651

Committee appointments—25, 26, 27, 105

Presented to the House, the Honorable Howard N. Sokol, former member of the House—1504

Resolutions offered—884, 1009, 2293-2294

Subcommittee assignments—28

HINKHOUSE, HERBERT C.—Representative Cedar-Clinton-Johnson-Scott Counties
 Amendments filed—199, 342-344, 469, 796, 797, 907, 941, 1219, 1273, 1273-1274,
 1274, 1503, 1554, 1656, 1713, 1714, 1727, 1741, 1881, 2124

Amendments offered—1766

Amendments withdrawn—1647, 1706

Appointed to the Interstate Cooperation Commission—1069

Bills introduced—16, 202, 299, 306, 331, 349, 453-454, 454, 538, 560, 579, 581, 583,
 635, 649, 650, 653

Committee appointments—21, 25, 27, 1978-1979

Petitions presented—943

Reports—2314-2318

Resolutions offered—623, 2293-2294

Subcommittee assignments—28

HOFFMANN, BETTY A.—Representative Johnson-Louisa-Muscatine Counties

Amendments filed—342-344, 985, 1071, 1238, 1262, 1553, 1554, 2342

Amendments offered—1121, 1303, 1563, 1698, 1771, 1774-1775

Bills introduced—16, 18, 189, 376-377, 454, 554, 568-569, 569, 578, 579, 584, 584-585,
 628, 648, 651, 654

Committee appointments—15, 26, 27, 2033, 2111

Remarks—12

Reports—40-42, 2184, 2289-2290

Resolutions offered—1776-1777, 2293-2294

Seconded the nomination of the Honorable William H. Harbor as Speaker pro tem-
 pore—12

Subcommittee assignments—28

HOLT, LEE—Representative Clay-Dickinson-Emmet-Palo Alto Counties

Amendments filed—342-344, 941-942, 1218, 1219, 1262, 1474, 1713-1714, 2342-2343

Appointed to the Law Enforcement Academy Council—325

Bills introduced—16, 202, 240, 301, 376-377, 391, 454, 472-473, 492, 537, 568-569, 578,
 579, 584-585, 620, 651

Committee appointments—26, 27, 2082

Petitions presented—430, 733

Presented to the House, Cadet 3rd Class Michelle Johnson, Spencer, Iowa—
 1220-1221

Reports—2184-2186

Resolutions offered—450, 2293-2294

Subcommittee assignments—28

HORN, WALLY E.—Representative Linn County

Amendments filed—103, 199, 328, 342-344, 410-411, 511, 512, 796, 796-797, 797, 1023,
 1034, 1218, 1219, 1273, 1274, 1423, 1424, 1554, 1656, 1713, 1740, 1741, 1742,
 1781, 1782, 1854, 1899, 1944, 1945, 2020, 2036, 2064, 2157-2158, 2194, 2228, 2253,
 2262-2269, 2342

Amendments offered—282, 410-411, 522-523, 811, 1132-1133, 1135, 1456-1457, 1749,
 1771, 1772, 1772-1773, 1773, 1804, 2036, 2152-2155, 2156, 2157-2158, 2159,
 2161-2162, 2163-2164, 2165, 2253, 2255-2256, 2258-2259, 2298-2299

Amendments withdrawn—1132, 2164, 2300

Bills introduced—189, 299, 391, 432, 472-473, 515, 538, 551-552, 552, 561, 562, 577,
 579, 580, 583, 584, 585, 602-603, 604, 605, 615, 616, 636, 649, 650, 651, 655

Committee appointments—13, 26, 27

Resolutions offered—2293-2294

Subcommittee assignments—28

HOUSE ADMINISTRATION COMMITTEE--

Appointments to--26, 192, 1069
 Reports--235, 363-366, 402, 466, 510, 2385-2386
 Resignations--1069, 2386
 Resolution relating to, HCR 28--2303 adopted
 Resolutions offered--2303

HOUSE COMMITTEE ASSIGNMENTS 29-40

HOWELL, ROLLIN K.--Representative Cerro Gordo-Floyd-Mitchell Counties

Amendments filed--210, 236, 328, 342-344, 512, 796, 797, 880-881, 881-882, 934, 941, 941-942, 1217, 1218, 1273-1274, 1274, 1306, 1423, 1424, 1503, 1526, 1527, 1553, 1554, 1618, 1656, 1713, 1740, 1781, 1781-1782, 1813, 1836, 1854, 1891, 2091-2092, 2124, 2229, 2308
 Amendments offered--210, 265, 266, 518, 880-881, 934, 1253, 1518, 1565-1566, 1568, 1637, 1704, 1749-1750, 1789, 1796, 1834-1835, 1891, 1911-1912
 Amendments withdrawn--1627, 1706
 Bills introduced--154, 189, 299, 331, 349, 376, 377, 399, 454, 493, 536, 569, 570-571, 578, 583, 603, 618, 631, 634, 635, 643, 644, 645-646, 647, 649, 650, 651, 651, 655
 Committee appointments--15, 26, 27, 43, 2106, 2279
 Petitions presented--430, 567
 Presented to the House, the Honorable Lyle M. Scheelhaase, former member of the House--752
 Reports--40-42, 2379-2381
 Resolutions offered--2293-2294
 Subcommittee assignments 28

HULLINGER, ARLO--Representative Clarke-Decatur-Madison-Ringgold-Union-Wayne Counties

Amendments filed--328, 342-344, 796, 797, 1148, 1218, 1219, 1249-1250, 1253, 1273-1274, 1274, 1348, 1423, 1526, 1527, 1554, 1713, 1741, 1945, 2124, 2150-2151, 2194
 Amendments offered--1203, 1244, 1248-1249, 1249, 1253, 1539
 Appointed to the Energy Policy Council--401
 Bills introduced--331, 376-377, 391, 399, 453-454, 454, 472, 536, 538, 569-570, 578, 579, 583, 605, 615, 620, 635, 649, 650, 652
 Committee appointments--26, 27, 2066
 Reports--2117
 Resolutions offered--2293-2294
 Subcommittee assignments--28

HUMAN RESOURCES, COMMITTEE ON--

Amendments filed--395, 906, 1270
 Amendments offered--481, 1303
 Appointed--26
 Bills introduced--617, 772, 848, 909, 1073, 1076, 1076-1077, 1111-1112
 Reports--98, 395, 600, 665, 692, 905-906, 906, 1071, 1115, 1270, 1422

HUMMEL, KYLE--Representative Benton-Black Hawk-Buchanan-Linn-Tama Counties

Amendments filed--342-344, 1034, 1218, 1219, 1527, 1553, 1656, 1713, 1854, 2194, 2342

Amendments offered—1625, 1688-1689, 1705
 Bills introduced—16, 189, 376-377, 472, 579, 651
 Committee appointments—25, 27, 28
 Petitions presented—430
 Resolutions offered—587, 2293-2294
 Subcommittee assignments—28

HUSAK, EMIL J.—Representative Benton-Iowa-Poweshiek-Tama Counties

Amendments filed—490, 511, 512, 796, 796-797, 797, 816, 941, 984, 1071, 1148, 1182,
 1219, 1237, 1238, 1273, 1274, 1503, 1526, 1553, 1618, 1713, 1727, 1853, 1854,
 1886, 2020, 2124, 2138, 2229
 Amendments offered—810, 1334-1335, 1869-1870
 Amendments withdrawn—1871
 Bills introduced—16, 202, 391, 538, 553, 560, 579, 616, 618, 635, 636, 649, 650, 651,
 653
 Committee appointments—25, 26, 27, 28, 1978-1979
 Petitions presented—430, 535
 Presented to the House, foreign exchange students from Argentina, Norway,
 Guatemala and Japan—2225
 Remarks—12-13
 Reports—2314-2318
 Resolutions offered—392-393, 623, 638, 1722-1723, 2293-2294
 Seconded the nomination of the Honorable William H. Harbor as Speaker pro
 tempore—12
 Subcommittee assignments—28

INAUGURATION—

Committee appointed—23
 Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad
 inaugurated—109-116
 Inaugural address—110-116
 Resolution empowering joint committee to arrange for, SCR 2—18, 23 adopted

INTERIM COMMITTEES—

(See also Legislative Council and/or Study Committees)

Resolutions relating to:

House Concurrent Resolution 11—555
 House Concurrent Resolution 16—1417-1418
 House Concurrent Resolution 19—1776-1777
 House Concurrent Resolution 21—2081-2082
 House Concurrent Resolution 25—2141-2142
 House Concurrent Resolution 26—2142-2143
 House Concurrent Resolution 27—2224-2225
 House Concurrent Resolution 29—2333-2334
 House Resolution 43—2337
 House Resolution 44—2337-2338
 Senate Concurrent Resolution 14—1426, 1428-1429, 2382 adopted

INTERSTATE COOPERATION COMMISSION—

Appointments to—1069, 1777
 Communication from—1552

IOWA BOUNDARY COMMISSION —

Appointments to — 393

JAY, DANIEL — Representative Appanoose-Clarke-Lucas-Monroe-Wayne Counties
Amendments filed — 103, 199, 328, 342-344, 796, 797, 941-942, 1002, 1034, 1072, 1116,
1155, 1218, 1273-1274, 1274, 1423, 1503, 1526, 1713, 1781, 1781-1782, 1782, 1854,
1945, 2124
Amendments offered — 804, 1060, 1123-1124, 1128-1129, 1139-1140, 1738
Amendments withdrawn — 1738
Bills introduced — 16, 239, 299, 331, 376-377, 578, 583, 605, 615, 616, 629, 635, 636,
644, 649, 650, 651, 652
Committee appointments — 26, 27
Petitions presented — 1403
Resolutions offered — 1874-1875, 2293-2294
Subcommittee assignments — 28

JESSE, NORMAN G. — Representative Polk County, Assistant Minority Floor
Leader

Amendments filed — 236, 342-344, 771, 796, 797, 899, 907, 941-942, 1002, 1071, 1116,
1273, 1274, 1306, 1348, 1423, 1424, 1554, 1581, 1582, 1618, 1656, 1703, 1713-1714,
1741, 1781, 1795, 1805-1806, 1814, 1838-1839, 1854, 1886, 1945, 2091-2092, 2176,
2194, 2229, 2235
Amendments offered — 255, 282, 885-886, 1081, 1166-1167, 1173, 1174, 1176-1177,
1336-1337, 1353-1354, 1490-1491, 1520, 1549, 1640, 1700, 1703, 1790, 1820, 1886,
1974-1975, 2176, 2214-2215
Appointed to the Legislative Council — 247
Bills introduced — 86, 378, 472-473, 551-552, 585, 615, 649, 650, 653, 656
Call of the House requested — 1111
Committee appointments — 25, 26, 247, 2033, 2149, 2393, 2394
Point of order raised and challenged the ruling of the chair — 1491
Reports — 44-45, 2184
Resolutions offered — 1009-1010, 2293-2294

JOCHUM, THOMAS J. — Representative Dubuque County

Amendments filed — 91, 103, 199, 214, 278, 285, 342-344, 347, 499, 693, 796, 796-797,
797, 932-933, 941, 941-942, 947-948, 1181, 1219, 1237, 1273, 1274, 1306, 1401,
1423, 1424, 1526, 1527, 1554, 1581, 1582, 1741, 1781, 1783, 1813, 1853, 1854,
1899, 1928-1929, 1945, 1959-1960, 1966, 1984, 2020, 2042, 2043, 2045-2046, 2124
Amendments offered — 214, 278, 285, 410, 497, 499, 701-706, 932, 947-948, 1458-1459,
1510, 1515, 1516-1517, 1519, 1520, 1787-1788, 1928-1929, 1952-1953, 1954, 1956,
1966, 2013-2014, 2045-2046
Amendments withdrawn — 1484
Appointed to the Confidential Records Council — 433
Bills introduced — 189, 239, 240, 305, 330, 349, 377, 391-392, 471, 472, 472-473, 536,
551-552, 579, 583, 604, 605, 614, 616, 630, 631-632, 635, 636, 637, 643, 645, 646,
649, 649-650, 650, 653, 656, 699-700
Committee appointments — 25, 27, 28
Petitions presented — 375, 447-448, 919
Resolutions offered — 2293-2294
Subcommittee assignments — 28

JOHNSON, JAMES — Representative Chickasaw-Floyd-Howard-Mitchell Counties
 Amendments filed — 342-344, 796, 941-942, 1034, 1049, 1071, 1218, 1354, 1401, 1553,
 1554, 1781, 1836, 2020, 2035, 2124, 2342
 Amendments offered — 1049, 1134-1135, 1354, 1675, 2035
 Bills introduced — 16, 306, 376-377, 455, 472, 472-473, 494, 579, 582, 584, 584-585, 631,
 648, 651
 Committee appointments — 26, 27, 2082
 Petitions presented — 817
 Reports — 2184-2186
 Resolutions offered — 2293-2294
 Subcommittee assignments — 28

JOHNSON, ROBERT M. L. — Representative Linn County
 Amendments filed — 342-344, 389, 907, 947-948, 1238, 1262, 1273, 1401, 1411, 1474,
 1527, 1813, 1877-1878, 2124, 2342
 Amendments offered — 934, 936, 1410-1411, 1411
 Amendments withdrawn — 966, 1588, 1834
 Bills introduced — 16, 18, 189, 390, 391, 432, 454, 472, 472-473, 515, 554, 568-569,
 570-571, 578, 579, 582, 583, 584, 602-603, 604, 611, 646, 651, 655
 Committee appointments — 25, 26, 623, 1606-1607
 Resolutions offered — 1606-1607, 2224-2225, 2293-2294
 Subcommittee assignments — 28

JOHNSON, WARREN — Representative Monona-Woodbury Counties
 Amendments filed — 342-344, 452, 984, 1262, 1347, 1713, 1741, 2124, 2342
 Amendments withdrawn — 1651
 Bills introduced — 16, 17, 202, 240, 376-377, 472-473, 493, 494, 568-569, 570, 584-585,
 651
 Committee appointments — 26, 27
 Petitions presented — 430
 Presented to the House, the Honorable Louis A. Peterson, former member of the
 House — 1027
 Resolutions offered — 2293-2294
 Subcommittee assignments — 28

JOINT CONVENTION —

Budget Message — 217-225
 Canvass of votes — 22, 106-107
 Inaugural address of Governor Robert D. Ray — 110-116
 Lieutenant Governor Arthur A. Neu presided — 22, 148, 105, 110
 Lieutenant Governor Terry E. Branstad presided — 216, 457
 Lincoln's Birthday Observance — 541-548
 Memorial Session — 1023-1026
 Mr. George Mills addressed the joint convention — 542-548
 Pioneer Lawmakers — 1629-1637
 Resolutions relating to:
 House Concurrent Resolution 1 — 11 adopted
 House Concurrent Resolution 3 — 122, 155 adopted
 House Concurrent Resolution 5 — 301, 325 adopted
 House Concurrent Resolution 7 — 362, 469, 540-541 adopted
 House Concurrent Resolution 9 — 456, 474 adopted
 House Concurrent Resolution 12 — 571, 627 adopted

Senate Concurrent Resolution 2—18, 23 adopted
 State of Judiciary Message—458-465
 State of the State Message—49-62
 The Honorable Dave Shaff addressed the joint convention—1631-1632
 The Honorable William C. Stuart addressed the joint convention—1632-1637

JOINT LEGISLATIVE INTERN COMMITTEE—
 Appointments to—362, 1235

JUDICIARY AND LAW ENFORCEMENT, COMMITTEE ON—

Amendments filed—395, 395-397, 397, 574, 1271, 1473
 Amendments offered—482, 485, 486, 719, 1559
 Appointed—26
 Bills introduced—351, 377-378, 577, 616, 620, 642, 714, 715, 751, 848, 919, 944, 987,
 1005, 1037, 1073-1074, 1074, 1074-1075, 1150
 Reports—99, 233, 327, 394, 395, 397, 467, 557, 568-569, 569, 573, 574, 609, 611, 639,
 640, 681-682, 684, 712, 712-713, 814, 815, 843, 915-916, 916-917, 1030, 1031-1033,
 1114, 1115, 1266, 1270-1271, 1341-1342, 1342-1343, 1368, 1369-1370, 1464, 1473

KIRKENSLAGER, LARRY—Representative Des Moines County

Amendments filed—342-344, 941, 1034, 1219, 1237, 1262, 1347, 1348, 1401, 1423,
 1497, 1554, 1555, 1582, 1595, 1599, 1713, 1741, 1854, 1877-1878, 1899, 2021, 2064,
 2124, 2228, 2342
 Amendments offered—1083, 1357, 1487, 1509, 1595, 1599, 1646, 1649-1650,
 1877-1878, 2067-2068
 Amendments withdrawn—1508, 1549, 1760, 2067
 Bills introduced—16, 18, 189, 299, 376-377, 578, 579, 584, 604, 649
 Committee appointments—26, 27, 2394
 Petitions presented—986-987
 Resolutions offered—2293-2294
 Subcommittee assignments—28

KREWSON, LYLE R.—Representative Polk County

Amendments filed—303, 342-344, 347, 389, 491, 653, 732, 786, 917, 937, 984, 1002,
 1034, 1116, 1237, 1262, 1274, 1275, 1306, 1336, 1581, 1582, 1781, 1854, 1888,
 1945, 1984, 2043, 2170-2171, 2203, 2228, 2229, 2309-2310
 Amendments offered—737-738, 887, 1066, 1317-1325, 1325, 1333, 1336, 1586, 1871-
 1872, 2006-2007
 Amendments withdrawn—1131
 Appointed to the Iowa Council on Child Abuse Information—401
 Bills introduced—16, 18, 86, 189, 202, 203, 239, 240, 348, 378, 390, 391, 398-399, 455,
 472-473, 492, 561-562, 570, 578, 579, 606, 614, 628, 630, 633, 634, 635, 637, 647,
 649, 651, 654
 Committee appointments—25, 26, 401, 2136, 2279
 Petitions presented—817
 Reports—2304-2307, 2379-2381
 Resolutions offered—1009-1010, 2224-2225, 2293-2294
 Subcommittee assignments—28

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Amendments filed—1343-1347
 Amendments offered—1430

Amendments withdrawn—1430
 Appointed—27
 Bills introduced—577, 909, 1037
 Reports—100, 428, 566, 713, 874, 1031, 1343-1347

LAGESCHULTE, RAY—Representative Black Hawk-Bremer-Butler-Floyd Counties
 Amendments filed—342-344, 777, 797, 816, 941-942, 1218, 1474, 1527, 1713, 1714,
 1781, 1813, 1888, 2124, 2235, 2342
 Amendments offered—1140, 1820-1821, 2140, 2235, 2370
 Amendments withdrawn—1825, 2371
 Bills introduced—16, 18, 120, 154, 305, 376-377, 448, 472, 472-473, 568-569, 584-585,
 651
 Committee appointments—21, 26, 27, 28, 2066
 Petitions presented—430
 Reports—2117
 Resolutions offered—2293-2294
 Subcommittee assignments—28

LARSEN, SONJA—Representative Mahaska-Monroe-Wapello Counties
 Amendments filed—342-344, 732, 771, 941, 984, 985, 1262, 1713, 1854, 2043, 2194,
 2228, 2309-2310, 2342
 Amendments offered—1015, 1042, 2251-2252, 2309-2310
 Bills introduced—16, 18, 189, 449, 472-473, 561-562, 570, 578, 579, 584, 584-585, 603,
 651, 654
 Committee appointments—25, 26, 27, 623, 2279
 Presented to the House, Colonel Severd Johnsen, reserve officer from Agency,
 Iowa, serves the United States Air Force Academy as the Admissions Liaison
 Coordinator from Iowa—1220
 Presented to the House, Olaf Solli, Norwegian Consul General, Minneapolis,
 Minnesota—1711
 Presented to the House, rotary exchange student, Shelly Dyer of New Zealand
 —1512
 Reports—2379-2381
 Resolutions offered—2224-2225, 2293-2294
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 Appointments to—325

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Resolutions relating to:

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House Concurrent Resolution 16—1417-1418

House Concurrent Resolution 19—1776-1777

House Concurrent Resolution 20—1997

House Concurrent Resolution 21—2081-2082
 House Concurrent Resolution 22—2118
 House Concurrent Resolution 23—2119
 House Concurrent Resolution 24—2120
 House Concurrent Resolution 25—2141-2142
 House Concurrent Resolution 26—2142-2143
 House Concurrent Resolution 29—2333-2334
 House Concurrent Resolution 31—2335
 House Concurrent Resolution 43—2336-2337
 House Concurrent Resolution 44—2337-2338
 Senate Concurrent Resolution 14—1426, 1428-1429, 2382 adopted

LEGISLATIVE EMPLOYEES—
 (See Officers and Employees)

LINCOLN'S BIRTHDAY—
 Observance of—541-548
 Remarks by Mr. George Mills—542-548
 Resolution relating to, HCR 9—456, 474 adopted

LIND, THOMAS A.—Representative Black Hawk County
 Amendments filed—342-344, 732, 796, 917, 1148, 1218, 1219, 1262, 1740, 1741, 1781,
 1886, 1944, 2021, 2124, 2194
 Amendments offered—1365, 1803, 1805
 Bills introduced—16, 17, 18, 87, 93, 94, 189, 454, 472-473, 494, 538, 551-552, 561, 569,
 578, 579, 582, 584, 643, 651, 656
 Committee appointments—9, 23, 25, 26, 43
 Petitions presented—188, 237, 398, 453, 778-779, 1028, 1117
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 Resolutions offered—478, 939, 1462-1463, 1997-1998, 2293-2294
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LLOYD-JONES, JEAN—Representative Johnson County
 Amendments filed—91, 103, 199, 236, 296, 732, 796, 797, 941-942, 1019, 1115, 1148,
 1183, 1273-1274, 1274, 1423, 1474, 1503, 1527, 1554, 1581, 1618, 1714, 1741, 1742,
 1782, 1813, 1836, 1854, 1883-1884, 1945, 1984, 2024-2025, 2043, 2045-2046, 2124,
 2228, 2309-2310, 2342
 Amendments offered—243, 249, 260, 1736, 1883-1884, 2024-2025
 Amendments withdrawn—1292, 2088
 Bills introduced—189, 203, 239, 299, 348, 349, 378, 391, 398-399, 453-454, 471, 570,
 578, 602, 634, 635, 637, 645, 649, 650, 653
 Committee appointments—26, 27, 799
 Petitions presented—1150
 Presented to the House, the Honorable William J. Hargrave, Jr., former member
 of the House—1402
 Resolutions offered—939, 1316, 1417-1418, 1997, 2293-2294
 Subcommittee assignments—28

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LONERGAN, JOYCE—Representative Boone-Greene Counties

Amendments filed—103, 199, 342-344, 796, 941-942, 1116, 1182, 1237, 1275, 1503,
1526, 1656, 1813, 1853, 1854, 1984, 2124
Amendments offered—261, 1156, 1667, 1820
Amendments withdrawn—1156
Appointed to the Iowa Council on Child Abuse Information—401
Bills introduced—189, 240, 331, 552, 553, 570, 576, 579, 616, 619, 635, 636, 649, 650,
651
Committee appointments—26, 27, 2136
Petitions presented—470
Reports—2348-2350
Resolutions offered—2293-2294
Subcommittee assignments—28

LORENZEN, JAMES A.—Representative Scott County

Amendments filed—342-344, 777, 796, 797, 808, 984, 1262, 1581, 1655, 1781, 1854,
1945, 2342
Amendments offered—1648-1649
Bills introduced—16, 18, 202, 551-552, 578, 603, 643, 649, 651
Committee appointments—25, 27, 28, 215
Resolutions offered—913-914, 1008-1009, 2224-2225, 2293-2294
Subcommittee assignments—28

LURA, MICK—Representative Marshall County

Amendments filed—342-344, 721, 941-942, 985, 1219, 1238, 1262, 1273, 1554, 1617,
1618, 1651, 1655, 1713, 1854, 1889, 2020, 2342, 2353-2354
Amendments offered—721, 1094, 1889
Amendments withdrawn—1648, 1707, 1889
Bills introduced—16, 18, 202, 431, 472, 494, 568-569, 579, 635, 648, 651
Committee appointments—26, 27, 28, 2033, 2149
Petitions presented—46, 847, 908-909
Reports—2184
Resolutions offered—1008-1009, 2293-2294
Subcommittee assignments—28

MAJORITY FLOOR LEADER, Roger A. Halvorson—Representative Allamakee-Clayton-Winneshiek Counties

(See Halvorson, Roger A.—Representative Allamakee-Clayton-Winneshiek Counties, Majority Floor Leader)

MAULSBY, RUHL—Representative Calhoun-Carroll-Greene-Pocahontas-Sac Counties

Amendments filed—342-344, 1148, 1182, 1218, 1228-1229, 1262, 1306, 1347, 1423,
1713, 1741, 1854, 2342
Amendments offered—1227-1228, 1228-1229, 1938-1939, 1948
Bills introduced—16, 202, 376-377, 399, 454, 472-473, 492, 494, 568-569, 579, 584-585,
620, 651
Committee appointments—26, 27
Resolutions offered—2293-2294
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McKEAN, ANDY—Representative Cedar-Clinton-Jackson-Jones Counties

Amendments filed—342-344, 941, 947-948, 1218, 1262, 2229, 2342

Appointed to the Joint Legislative Intern Committee—362

Bills introduced—16, 189, 376-377, 400, 472, 552, 553, 560, 578, 579, 583, 584, 584-585, 616-617, 620, 642, 651

Committee appointments—26, 27, 362, 401, 2106

Presented to the House, the Honorable Scott D. Newhard, former member of the House—1580

Resolutions offered—400-401, 1997, 2293-2294

Subcommittee assignments—28

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Appointments to—563

MEMORIALS—

Committees appointed—401, 1606-1607

In Memoriam List—1024-1025, 2665

Joint Memorial Session—1023-1026

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Memorials—1024, 2666-2667

Resolution relating to, HCR 12—571, 627 adopted

Resolutions relating to—401, 1606-1607

MENKE, LESTER D.—Representative Buena Vista-Cherokee-Clay-O'Brien-Plymouth Counties

Amendments filed—198, 342-344, 796, 1148, 1218, 1262, 1363, 1618, 2342

Amendments offered—275

Amendments withdrawn—1367

Appointed to the Interstate Cooperation Commission—1069

Bills introduced—16, 18, 191, 238, 240, 376-377, 391, 455, 472, 472-473, 537, 538, 568-569, 578, 579, 584, 584-585, 620

Committee appointments—26, 27, 48, 2082

Escorted and presented to the House, Miss Stacey Goodrich, Easter Seal Sweetheart for 1979—846

Petitions presented—641-642

Presented to the House, the Honorable Walter W. P. Kruse, former member of the House—1425

Reports—2184-2186

Resolutions offered—392, 2293-2294

Subcommittee assignments—28

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MILLEN, FLOYD H.—

(See Speaker of the House—Floyd H. Millen, Representative Henry-Jefferson-Keokuk-Lee-Van Buren-Wapello-Washington Counties)

MILLER, KENNETH D.—Representative Black Hawk-Buchanan Counties

Amendments filed—328, 342-344, 347, 374, 469, 491, 511, 511-512, 512, 611, 612, 640, 771, 777, 784, 796, 797, 907, 917, 918, 941-942, 985, 1010-1011, 1011, 1018, 1034, 1116, 1148, 1182, 1218, 1219, 1237, 1273, 1274, 1348, 1401, 1423, 1474, 1502; 1503, 1526, 1553, 1569, 1582, 1595, 1618, 1656, 1714, 1741, 1813, 1845, 1853-1854, 1854, 1881, 1944-1945, 2064, 2124, 2178, 2194, 2229, 2308, 2374-2375, 2377, 2388

Amendments offered—415, 416, 673, 723, 784, 852, 936-937, 949, 966, 966-967, 967-968, 968-969, 970-972, 1010-1011, 1063, 1168, 1328, 1519, 1523, 1531-1532, 1533-1534, 1757-1758, 2082, 2177-2178, 2178, 2358-2359, 2377

Amendments withdrawn—415, 1509, 1519, 1706, 1845

Bills introduced—16, 46, 472, 551-552, 604, 635, 643, 649, 650, 651, 653, 656

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Petitions presented—398, 453

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MINORITY FLOOR LEADER, Donald D. Avenson—Representative Bremer-Chickasaw-Fayette-Howard-Winneshiek Counties

(See Avenson, Donald D.—Representative Bremer-Chickasaw-Fayette-Howard-Winneshiek Counties, Minority Floor Leader)

MOTIONS TO RECONSIDER—

Filed:

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House File 81, H-3170 to H-3113—346

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House File 418, H-4050—1940

House File 632—793

House File 650, H-3288, H-3286, H-3295 to H-3288—775

House File 650, H-3280—776

House File 654—1145

House File 659—1179

House File 660, H-3334—812

House File 670—1940

House File 670, H-4149—1940

House File 671—1017

House File 680—1068

House File 687, H-4157 to H-4141, H-4176 to H-4157 to H-4141—1895

House File 691—1112

- House File 693—2017, 2061
- House File 755—2061
- House File 755, H-4259—2061
- Senate Concurrent Resolution 5—192
- Senate File 4—1711
- Senate File 51—2061
- Senate File 70—752
- Senate File 88—1711
- Senate File 149—1578
- Senate File 163—2075
- Senate File 164—1711
- Senate File 190—1615
- Senate File 211—912
- Senate File 280—1578
- Senate File 299—912
- Senate File 456—1340
- Senate File 456, H-3683—1340-1341
- Senate File 462—1578
- Senate File 479—1615
- Deferred:
 - House File 418—1950
- Lost:
 - House File 660, H-3334—841
 - Senate File 51—2175
 - Senate File 299—1710
- Prevailed:
 - House File 81, H-3164 as amended—425
 - House File 315—1211-1212
 - House File 418—2103
 - House File 418, H-4050—2103
 - Senate File 456—1707
 - Senate File 456, H-3683—1707
- Ruled out of order:
 - House File 81, H-3164—425
 - House File 650, H-3295 to H-3288—854
- Withdrawn:
 - House File 2—555
 - House File 81, H-3113, H-3170 to H-3113—425
 - House File 632—849
 - House File 650, H-3286, H-3288, H-3280—854
 - House File 654—1231
 - House File 659—1223
 - House File 670—1993
 - House File 671—1046
 - House File 680—1145
 - House File 687, H-4157 to H-4141—1933
 - House File 687, H-4176 to H-4157 to H-4141—1933
 - House File 693—2051, 2116-2117
 - House File 755—2148-2149
 - House File 755, H-4259—2148-2149
 - Senate Concurrent Resolution 5—205
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Senate File 164 -- 1918

Senate File 190 -- 1744

Senate File 211 -- 998

Senate File 462 -- 1776

Senate File 479 -- 1996

Motions to reconsider be deferred:

House File 693 -- 2116-2117

Lost:

House File 693 -- 2116-2117

Motions to reconsider -- (from the floor)

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House File 421 -- 2222

House File 485 -- 1066

House File 632, H-3263 -- 782

House File 650 -- 857

House File 660 -- 841

House File 670, H-3524 -- 1129

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Senate File 93, H-3877 -- 1652

Senate File 93 -- 1653

Senate File 158, H-3423 -- 951

Senate File 158 -- 973

Senate File 321 -- 2060

Senate File 373 -- 1551, 2212

Senate File 442 -- 1639

Senate File 471, H-4130 -- 1976

Senate File 478 -- 1606

Senate File 485 -- 2174

Senate File 489, H-4349 -- 2271

Senate File 491 -- 2085

Senate File 491, H-4276 -- 2085

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Lost:

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House Resolution 5, H-3064—252
House Resolution 5, H-3093, H-3090—286
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Senate File 70, H-3236—727
Senate File 158, H-3423—951
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House File 719, H-3603E—1253
House File 721, H-3755—1367
Senate File 373—2212
Senate File 471, H-4130—1976
Senate File 489, H-4349—2272
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Senate File 491, H-4276—2085

Ruled out of order:

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House Resolution 5, H-3112 to H-3064, H-3064—252

Withdrawn:

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House File 738—2217
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 House File 660—842
 House File 693—1287
 House File 705—1311
 House File 734—2221
 House File 738—2217
 House File 766—2348
 Senate File 93—1653
 Senate File 158—973
 Senate File 321—2060
 Senate File 373—1551
 Senate File 442—1639
 Senate File 478—1606
 Senate Joint Resolution 1—526

Withdrawn:

House File 418—1950

MULLINS, SUE—Representative Hancock-Humboldt-Kossuth-Palo Alto-Pocahontas Counties

Amendments filed—342-344, 491, 941, 947-948, 984, 1087, 1226, 1238, 1262, 1502, 1526, 1713, 1733, 1781, 1854, 2049, 2124, 2203, 2229, 2286, 2287, 2308, 2342
 Amendments offered—481, 1226, 2049
 Bills introduced—189, 376-377, 492, 568-569, 579, 581-582, 584-585, 620, 648, 651, 653
 Committee appointments—25, 26, 2106, 2136
 Escorted to the Speaker's station and presented to the House, the Honorable William Kenneally, T.D., M.C.C., Irish Parliament, Dublin, Ireland—924-925
 Presented to the House, Garo Mikayelian, Beirut, Lebanon, attending ISU—1340
 Presented to the House, the Honorable Karl E. Kilsholm, former member of the House—1027
 Reports—2348-2350
 Resolutions offered—912-913, 2143-2144, 2293-2294
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Presentation of—48
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Amendments filed—906, 907, 1272
 Appointed—27
 Bills introduced—772, 944, 1037-1038, 1074, 1076
 Reassignment—556
 Reports—98, 600, 770, 906-907, 940-941, 1071, 1272, 1347
 Resolutions offered—586

NOMINATIONS—

For Acting Chief Clerk—1
 For Permanent Chief Clerk—10
 For Speaker of the House—7, 8
 For Speaker Pro Tempore—12
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NORLAND, LOWELL E.—Representative Cerro Gordo-Worth Counties

- Amendments filed—91, 103, 235, 236, 296, 303, 328, 342-344, 347, 491, 732, 736, 744-745, 745, 771, 796, 797, 941-942, 1002, 1065, 1071, 1273, 1274, 1502, 1503, 1526, 1582, 1714, 1740, 1741, 1854, 1968-1970, 1984, 1999-2000, 2009, 2064, 2091-2092, 2098-2099, 2101, 2213, 2228, 2229, 2353-2354
- Amendments offered—341, 362, 408-409, 735-736, 736, 743-744, 744-745, 745, 820-821, 822, 850, 1053-1057, 1610, 1749, 1968-1970, 2009, 2088, 2091-2092, 2101
- Amendments withdrawn—339, 340, 1973
- Bills introduced—189, 331, 552, 568, 569, 570, 576, 577, 583, 605, 616, 630, 635, 636, 644, 648, 649, 650, 651, 653
- Committee appointments—26, 27, 48, 215
- Resolutions offered—2293-2294
- Subcommittee assignments—28

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- By David L. Wray, acting Chief Clerk—1
- By Governor-elect Robert D. Ray and Lieutenant Governor-elect Terry E. Branstad—110
- By members of the House—5-7, 88, 94, 298
- By permanent officers of the House—19-21
- By the Honorable Frank Crabb, Temporary Speaker—1
- By the Honorable William H. Harbor, Speaker Pro Tempore—13-14

OBJECTIONS TO—

- Vote:
 - Senate File 29—1698
 - Senate File 81—1407
 - Senate File 164—1698
 - Senate File 373, H-3717—1522
 - Senate File 388—1592
- Rereferral:
 - House File 747—2293
- Unfinished business calendar:
 - House File 720—1235
- Withdrawal:
 - House File 663—1574

OFFICERS AND EMPLOYEES—

- Appointments—19-21, 989
- Crabb, Frank, elected Temporary Speaker—1
- Harbor, William H., elected Speaker Pro Tempore—12-14
- Millen, Floyd H., elected Speaker of the House—7
- Pages—20-21, 989
- Pay grades and steps, list of—225-230
- Permanent officers elected—19-21
- Resignations—1069, 2386
- Resolutions relating to:
 - House Concurrent Resolution 28—2303 adopted
 - House Resolution 1—14 adopted
 - House Resolution 2—15 adopted
 - House Resolution 42—2293-2294 adopted
 - Senate Concurrent Resolution 5—155-165, 191 adopted, 192, 205

Wray, David L., elected acting Chief Clerk - 1

Wray, David L., elected permanent Chief Clerk - 10

O'KANE, JAMES - Representative Woodbury County

Amendments filed - 103, 199, 328, 342-344, 796, 941, 947-948, 1002, 1072, 1115, 1218, 1237, 1273-1274, 1274, 1348, 1401, 1423, 1503, 1527, 1554, 1656, 1713, 1714, 1781, 1854, 1899, 1984, 2020, 2124, 2342

Amendments offered - 1125-1126, 1569, 1597-1598, 1608, 1670-1671, 1671, 1767, 1800, 1843-1844

Amendments withdrawn - 1669, 1804, 1904

Bills introduced - 189, 391-392, 455, 472, 551-552, 569, 570, 576, 579, 583, 605, 616, 647, 648, 649, 650, 651, 653, 654, 693

Committee appointments - 25, 26, 27, 2136

Reports - 2304-2307

Resolutions offered - 2224-2225, 2293-2294

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OXLEY, MYRON B. (MIKE) - Representative Linn County

Amendments filed - 328, 342-344, 777, 796, 797, 931, 941-942, 1218, 1273-1274, 1274, 1713

Bills introduced - 16, 189, 376-377, 568, 579, 615, 631, 632, 647, 649, 651

Committee appointments - 26, 27, 28, 458, 1606-1607

Official delegate to attend the funeral services of the Honorable Dale L. Crosier - 1607

Petitions presented - 430, 847

Resolutions offered - 2293-2294

Subcommittee assignments - 28

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Resolutions relating to:

House Resolution 2—15 adopted

House Resolution 41—2183 adopted

Senate Concurrent Resolution 5—155-165, 191 adopted, 192, 205

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PATCHETT, JOHN E.—Representative Johnson-Linn Counties

Amendments filed—103, 235, 236, 328, 342-344, 720-721, 796, 797, 816, 837-838, 941-942, 985, 1034, 1035, 1182, 1273, 1273-1274, 1274, 1554, 1618, 1741, 1742, 1781, 1782, 2020, 2194, 2309, 2309-2310

Amendments offered—254, 256, 258, 259-260, 261, 270, 720-721, 822-826, 827-832, 837-838, 1204, 1507-1508, 1762-1765, 2147, 2149, 2160-2161, 2164, 2295, 2300

Amendments withdrawn—826, 839, 2242, 2309

Appointed to the Joint Intern Committee—1235

Bills introduced—240, 300, 331, 377, 472-473, 514, 551-552, 553, 554, 560, 568, 570, 576, 583, 605, 615, 616, 635, 649, 650

Committee appointments—26, 27, 2017

Resolutions offered—2293-2294

Subcommittee assignments—28

PAVICH, EMIL S.—Representative Pottawattamie County

Amendments filed—102, 103, 236, 276, 280, 297, 328, 342-344, 612, 654, 796, 797, 918, 941-942, 984, 1182, 1183, 1218, 1219, 1238, 1273, 1274, 1348, 1351-1352, 1401, 1423, 1424, 1474, 1502, 1526, 1553, 1554, 1555, 1595, 1714, 1781, 1782, 1854, 1945, 2064, 2124, 2229, 2256

Amendments offered—276, 280, 362, 1351-1352, 1768

Amendments withdrawn—1563, 1797, 1802

Bills introduced—189, 299, 331, 349, 376, 377, 391-392, 399, 419, 472-473, 552, 568, 570, 575, 576, 579, 583, 604, 605, 615, 616, 635, 636, 643, 644, 649, 650, 656

Committee appointments—25, 27, 28

Petitions presented—1476, 1528-1529

Resolutions offered—1776-1777, 1963, 2224-2225, 2293-2294

Subcommittee assignments—28

PELLETT, WENDELL C.—Representative Adair-Adams-Cass-Guthrie-Union Counties

Amendments filed—342-344, 816, 907, 931, 941, 981, 985, 1182, 1218, 1237, 1262, 1474, 1527, 1553, 1713-1714, 1727, 1732, 1741, 2124, 2138

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Amendments withdrawn—1732, 2139

Bills introduced—16, 202, 240, 349, 376, 472-473, 536, 552, 569-570, 570, 579, 584-585, 620, 630, 651, 653

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Resolutions offered—623, 2293-2294

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Amendments withdrawn—879, 1252, 1758, 2356

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 Reports — 100, 234-235, 428, 713, 874, 982-984, 1033-1034, 1272-1273, 1370-1397

STATE OF THE STATE MESSAGE —

Delivered by Governor Robert D. Ray — 49-62
 Resolution relating to, HCR 1 — 11 adopted

STROMER, DELWYN — Representative Cerro Gordo-Franklin-Hancock-Wright Counties

Amendments filed — 104, 235, 796, 984, 1007, 1238, 1262, 1714, 1886, 1984, 2194, 2296-2297, 2366-2367, 2376
 Amendments offered — 259, 801-804, 902, 1007, 2104-2105, 2296-2297, 2376
 Amendments withdrawn — 2296
 Appointed to the Legislative Council — 247
 Bills introduced — 16, 18, 240, 376-377, 391, 472, 569, 578, 584, 584-585, 603, 620, 648-649
 Committee appointments — 9, 23, 25, 26, 27, 247, 541, 1629, 2393, 2394
 Presented to the House, the Honorable Ray W. Hagie, former member of the House — 1941
 Resolutions offered — 1462-1463, 2293-2294
 Subcommittee assignments — 28

STUDY BILL COMMITTEE ASSIGNMENTS —

Agriculture — 89, 293, 294, 510, 550, 565, 729
 Cities — 427, 436, 437, 490, 564-565
 Commerce — 90, 185-186, 186, 327, 388, 467, 564, 573, 587, 813, 843, 1112-1113
 County Government — 90, 193, 194, 326, 388, 435, 436, 437, 452, 639, 658
 Education — 366, 367, 490, 753, 1018
 Energy — 192, 193, 326-327, 388, 565, 1030
 Ethics — 1146
 Human Resources — 435, 451, 510-511, 511, 565, 572, 624, 691
 Judiciary and Law Enforcement — 90, 186, 302, 327, 346, 387, 451, 452, 528, 529, 530, 550, 563, 564, 565, 624, 681, 692, 777, 794, 905, 998, 1018
 Labor and Industrial Relations — 97, 151, 185, 451, 998
 Natural Resources — 511, 624, 658, 691, 729, 753, 794, 940
 State Government — 89, 192, 564, 624, 843, 865, 915, 1030
 Transportation — 325, 326, 367, 388, 435, 451, 452, 639, 681, 905, 940
 Ways and Means — 192, 193, 230, 294, 367, 368, 427, 437, 490, 528, 565, 573, 711, 1070, 1217, 1236, 1368, 1580, 1655, 2019

STUDY BILL SUBCOMMITTEE ASSIGNMENTS —

Assignments — 117-118, 291-293, 372-374, 442-445, 532-534, 594-599, 664, 768-769, 867, 1001-1002, 1113-1114, 1237, 1421, 1898
 Additional assignments — 532, 1001

STUDY COMMITTEES—

(Also see Legislative Council)

- House Concurrent Resolution 10—526-527
- House Concurrent Resolution 11—555
- House Concurrent Resolution 16—1417-1418
- House Concurrent Resolution 19—1776-1777
- House Concurrent Resolution 20—1997
- House Concurrent Resolution 21—2081-2082
- House Concurrent Resolution 22—2118
- House Concurrent Resolution 23—2119
- House Concurrent Resolution 24—2120
- House Concurrent Resolution 25—2141-2142
- House Concurrent Resolution 26—2142-2143
- House Concurrent Resolution 27—2224-2225
- House Concurrent Resolution 28—2303 adopted
- House Concurrent Resolution 29—2333-2334
- House Concurrent Resolution 31—2335
- House Concurrent Resolution 32—2335-2336, 2338, 2384 adopted
- House Resolution 43—2336-2337
- House Resolution 44—2337-2338

SUBCOMMITTEE ASSIGNMENTS—

Assignments—117, 288-291, 368-372, 437-442, 530-532, 588-594, 658-664, 753-768, 865-866, 998-1001, 1113, 1236-1237, 1420-1421, 1553, 1898, 2076, 2388

SUPREME COURT OF IOWA—

(See Chief Justice of the Supreme Court, W. W. Reynoldson)

SUPERINTENDENT OF PRINTING—

(See Printing Division of General Services)

SWEARINGEN, GEORGE R.—Representative Keokuk-Washington Counties

Amendments filed—941-942, 1218, 1238, 1262, 1306, 1347, 1423, 1553, 1713-1714, 2124, 2229

Amendments withdrawn—1357

Bills introduced—16, 240, 375, 376-377, 472, 472-473, 538, 579, 584-585, 649, 651

Committee appointments—25, 26, 27

Petitions presented—1403

Presented to the House, the Honorable Keith L. Vetter, former member of the House—1675

Resolutions offered—687-688, 688, 689, 2293-2294

Subcommittee assignments—28

TELLERS—

Appointment of—106

Reports—106-107

TEMPORARY OFFICERS—

Elected—1-2

Took oath of office—1

THOMPSON, PATRICIA L.—Representative Polk County, Assistant Majority Floor Leader

Amendments filed—342-344, 625, 796, 984, 1018, 1019, 1034, 1262, 1554, 1581, 1582, 1652, 1656, 1703, 1854, 2194, 2296-2297, 2342
 Amendments offered—899, 1338, 1643, 1647-1648, 1702, 1703, 2217-2218,
 Amendments withdrawn—901, 1053, 1705
 Appointed to the House Administration Committee—192
 Appointed to the College Aid Commission—192
 Bills introduced—16, 18, 47, 121, 153, 189, 203, 376, 432, 472-473, 516, 536, 554, 568-569, 578, 579, 580-581, 584, 617, 619, 634, 637, 643, 648, 651, 684
 Committee appointments—26, 27, 28
 Presented the Dowling High School boys basketball team with enrolled copy of HR 31—1080
 Presented to the House, June and Philip Boobyer, a rotary international exchange couple from Durham, England—1778
 Presented to the House, the Honorable Edgar H. Bittle, former member of the House—1941
 Resolutions offered—433, 1009-1010, 2293-2294
 Subcommittee assignments—28

TITLE XX Statewide Advisory Committee—

Appointments to—496

TOFTE, SEMOR C.—Representative Fayette-Howard-Winneshiek Counties

Amendments filed—342-344, 640, 732, 770, 796, 941, 1218, 1503, 1527, 1714, 2124, 2309
 Amendments offered—888, 1405, 1405-1406, 1593, 1726, 1729, 1730-1731, 2139
 Amendments withdrawn—1406
 Bills introduced—16, 18, 189, 376-377, 431, 454, 472-473, 536, 568-569, 578, 579, 584, 584-585, 603, 619, 654, 655
 Committee appointments—21, 23, 26, 27
 Resolutions offered—2293-2294
 Subcommittee assignments—28

TRANSPORTATION, COMMITTEE ON—

Amendments filed—816, 1397-1401, 1498-1502
 Amendments offered—1595, 1698
 Appointed—27
 Bills introduced—615, 715, 1037, 1076
 Reports—98-99, 233-234, 490, 558, 611, 684, 815-816, 917, 1034, 1147, 1397-1401, 1498-1502

TYRRELL, PHILLIP E.—Representative Benton-Iowa-Johnson-Keokuk-Poweshiek Counties

Amendments filed—469, 640, 816, 1002, 1049, 1116, 1262, 1273, 1274, 1306, 1347, 1423, 1474, 1502, 1527, 1553, 1713-1714, 1741, 1877-1878, 1921-1922, 2021, 2035, 2203, 2287, 2342
 Amendments offered—790-791, 1121-1122, 1303, 1522, 1543-1544, 1921-1922, 2025, 2287, 2372-2373
 Amendments withdrawn—1520-1521, 2043
 Bills introduced—16, 202, 376-377, 400, 454, 472, 472-473, 537, 579, 582, 584, 584-585, 631, 649-650, 651

Committee appointments—25, 27, 2135
Petitions presented—492
Reports—2284
Resolutions offered—456, 2224-2225, 2293-2294
Subcommittee assignments—28

UNANIMOUS CONSENT—

House File 18—1120-1121
House File 79—1120-1121
House File 235—1120-1121
House File 357—1120-1121
House File 372—1120-1121
House File 381—1120-1121
House File 421—2220
House File 460—2069
House File 650—2303
House File 676—1223
House File 679—2110
House File 687—1120-1121
House File 692—2069
House File 693—1223
House File 719—2220
House File 734—2220
House File 750—2052
House File 751—2052
House File 752—2052
House File 754—2025
House File 755—2025
House File 757—2082, 2344
House File 762—2291
House File 764—2303
House File 765—2344
House File 766—2344
House Joint Resolution 16—1120-1121
House Resolution 27—989
Quorum Call—1964
Senate Concurrent Resolution 3—989
Senate File 1—2087
Senate File 9—2052
Senate File 39—2052
Senate File 51—2025
Senate File 163—2069
Senate File 204—2069
Senate File 321—2052
Senate File 362—2110
Senate File 475—2069
Senate File 485—2146
Senate File 487—2110
Senate File 494—2344
Senate File 495—2173
Senate File 499—2344

UNANIMOUS CONSENT-CALENDAR-

House Concurrent Resolution 32-2338
 House Resolution 6-386
 House Resolution 7-427
 House Resolution 10-563
 House Resolution 11-466
 House Resolution 12-555
 House Resolution 15-793
 House Resolution 16-1551
 House Resolution 17-1551-1552
 House Resolution 18-1552
 House Resolution 19-1552
 House Resolution 21-1525
 House Resolution 22-1112
 House Resolution 29-1217
 House Resolution 33-1463
 House Resolution 34-1497
 House Resolution 35-1940-1941
 House Resolution 37-2017
 House Resolution 38-2120
 House Resolution 39-2061
 House Resolution 40-2338

UNANIMOUS CONSENT TO VOTE-

House File 75-Representatives Anderson of Jasper, Daggett, Dieleman, Egenes,
 Holt, Howell & Norland-2135
 House File 79-Representative Cochran-1301
 House File 97-Representatives Stromer and Oxley-675
 House File 304-Representatives Brandt, Chiodo, Harbor, Hummel, Jesse, Krewson,
 Lonergan & Poffenberger-864
 House File 660-Representative Perkins-2302
 House File 671-Representative Tyrrell-2320
 House File 679-Representative Van Maanen-2291
 House File 693-Representative De Groot-1315
 House File 713-Representative Welsh-1200
 House File 719-Representative Hanson of Delaware-1315
 House File 719-Representative Byerly-2242
 House File 758-Representative Halvorson of Webster-2323
 Senate File 1-Representative Cochran-2089
 Senate File 204-Representative Welsh-2072
 Senate File 284-Representative Pellett-786
 Senate File 388-Representatives Thompson & Menke-2382
 Senate File 464-Representative Brandt-1683
 Senate File 499, H-4436-Representative Byerly-2376
 Senate File 499-Representatives Daggett, Woods & Chiodo-2379
 Change vote:
 Senate File 373, H-3766-Representative Horn-1547

VAN MAANEN, HAROLD-Representative Keokuk-Lucas-Mahaska-Marion-
 Monroe-Poweshiek Counties

Amendments filed-342-344, 777, 797, 917, 941, 1049, 1182, 1218, 1237, 1249-1250,
 1262, 1474, 1713-1714, 2100-2101, 2342

Amendments offered — 1013, 1014, 1596-1597, 2100-2101
 Amendments withdrawn — 1290, 1597
 Bills introduced — 16, 376-377, 399, 492, 536, 569, 570, 579, 584-585, 620, 648, 651, 652
 Committee appointments — 25, 26, 27, 2135, 2394
 Presented to the House, the Honorable Fred Koogler, former member of the House — 1583
 Presented to the House, the Honorable Norman Roorda, former member of the House — 1200
 Reports — 2284
 Resolutions offered — 2293-2294
 Subcommittee assignments — 28

WALTER, CRAIG D. — Representative Pottawattamie County

Amendments filed — 91, 103, 199, 235, 236, 328, 342-344, 512, 797, 907, 984, 1034, 1116, 1217-1218, 1218, 1238, 1273-1274, 1274, 1348, 1423, 1502, 1502-1503, 1503, 1526, 1554, 1595, 1655, 1781, 1854, 1877-1878, 1899, 1945, 2064, 2124, 2229, 2309, 2309-2310
 Amendments offered — 262, 279, 1086, 1924-1927
 Appointed to the Iowa Boundary Commission — 393
 Bills introduced — 189, 299, 331, 349, 377, 391-392, 399, 449, 472-473, 492, 536, 552, 568, 576, 579, 604, 628, 645, 649, 649-650, 650, 653, 654, 656
 Committee appointments — 25, 26, 27, 216
 Petitions presented — 613-614
 Resolutions offered — 939, 1963, 2293-2294
 Subcommittee assignments — 28

WAYS AND MEANS, COMMITTEE ON —

Amendments filed — 1983-1984, 2020, 2123, 2192-2194
 Amendments offered — 2024, 2055, 2201, 2202, 2217-2218
 Appointed — 27
 Bills introduced — 201, 331, 601, 602, 654-655, 667, 715, 752, 876, 1028, 1185, 1403, 1556-1557, 1557, 1619, 1815, 1855, 1900, 2022-2023, 2065, 2090, 2244
 Reports — 99, 198, 328, 566, 625, 692-693, 795, 940-941, 1147, 1422, 1498, 1581, 1655, 1813, 1898, 1983-1984, 2019-2020, 2077, 2123, 2191-2194, 2228, 2341

WELDEN, RICHARD W. — Representative Franklin-Hardin-Wright Counties

Amendments filed — 342-344, 1071, 1072, 1148, 1181, 1218, 1262, 1275, 1474, 1714, 2021, 2078, 2136-2137, 2194, 2235, 2261-2262, 2296-2297, 2342, 2346-2347, 2366-2367, 2374-2375
 Amendments offered — 1124, 1128, 1203-1204, 1224-1225, 1298-1299, 1587, 1824, 1840, 1951, 2114, 2136-2137, 2261-2262, 2346-2347, 2366-2367, 2374-2375
 Amendments withdrawn — 2276, 2369
 Appointed to the State Functional Classification Review Board — 812
 Bills introduced — 16, 17, 18, 46, 46-47, 240, 301, 349, 568, 578, 579, 603, 632-633, 651
 Committee appointments — 2, 25, 27, 457, 812, 1628, 2393, 2394
 Petitions presented — 535
 Reports — 2-5
 Resolutions offered — 2293-2294

WELLS, JAMES D. — Representative Benton-Linn Counties

Amendments filed — 104, 209, 328, 342-344, 511, 512, 796, 797, 942, 1219, 1273, 1423, 1553, 1581, 1655, 1781, 1782, 1854, 1945, 2124

Amendments offered—1767, 1797-1798

Bills introduced—16, 240, 299, 299-300, 331, 377, 391, 391-392, 455, 554, 576, 579, 605, 631, 649, 650, 654

Committee appointments—10, 25, 26, 27, 623, 1606-1607

Official delegate to attend funeral services of the Honorable Dale L. Crosier—1607

Petitions presented—847, 943

Resolutions offered—774-775, 1179-1180, 1874-1875, 2224-2225, 2293-2294

Subcommittee assignments—28

WELSH, JOE—Representative Dubuque-Jackson Counties

Amendments filed—103, 199, 328, 342-344, 771, 942, 1023, 1218, 1273, 1274, 1401, 1423, 1424, 1503, 1526, 1618, 1713, 1781, 1854, 1899, 2020, 2021, 2064, 2229, 2342

Amendments offered—1042-1043, 1141, 1416, 1488, 1746, 1798-1799, 1930

Amendments withdrawn—2108, 2223

Appointed to the Law Enforcement Academy Council—325

Bills introduced—331, 391-392, 551-552, 552, 576, 642, 643, 644, 645, 649, 650

Committee appointments—26, 27, 401

Presented to the House, representatives of the Boys' Clubs of Iowa—1615

Resolutions offered—2293-2294

Subcommittee assignments—28

WEST, JAMES C.—Representative Grundy-Hardin-Jasper-Marshall-Story Counties

Amendments filed—303, 342-344, 347, 389, 511-512, 512, 731, 1148, 1182, 1262, 1555, 1714, 1813, 1886, 2021, 2098-2099, 2101, 2194, 2228, 2342, 2353-2354, 2366-2367, 2374-2375

Amendments offered—357, 381, 413-414, 424, 739, 1262, 1647, 2098-2099, 2114, 2345, 2355, 2358

Amendments withdrawn—381

Appointed to the Interstate Cooperation Commission—1069

Bills introduced—16, 18, 390, 569, 578, 579, 583, 584, 584-585, 635, 648, 651

Committee appointments—25, 27, 216, 2136, 2393

Reports—106-107, 2304-2307

Resolutions offered—1462-1463, 2224-2225, 2293-2294

WOODS, JACK E.—Representative Polk-Warren Counties

Amendments filed—103, 209-210, 214, 328, 342-344, 491, 796, 797, 941-942, 985, 1072, 1182, 1218, 1273-1274, 1474, 1502, 1526, 1554, 1581, 1582, 1656, 1713-1714, 1741, 1854, 1886, 1984, 2093, 2262-2269, 2342, 2362-2363, 2369, 2371-2372

Amendments offered—209, 214, 360, 504, 1086-1087, 1109, 1563, 1587, 1694, 1750-1751, 2093, 2362-2363

Amendments withdrawn—210, 2369

Bills introduced—121, 299, 377, 391, 391-392, 432, 515, 576, 579, 602-603, 603, 605, 618, 631, 649, 650, 651, 653, 654, 655, 656

Committee appointments—25, 27

Resolutions offered—1009-1010, 1776-1777, 2293-2294

Subcommittee assignments—28